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No. 37

Nº 37

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

## Official Report of Debates (Hansard)

## Journal des débats (Hansard)

Monday 26 April 2004

Lundi 26 avril 2004



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

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Published by the Legislative Assembly of Ontario



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3330 Édifice Whitney ; 99, rue Wellesley ouest  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400 ; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario

## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 26 April 2004

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### ONTARIO BUDGET

**Mr John R. Baird (Nepean-Carleton):** Today I rise to talk about an important public policy priority in advance of next month's budget. We will hear a lot of discussion about health care and education, as those are the leading issues on the public agenda. But it's important that we as legislators, and the government, hear those softer voices, those quieter people whose voices aren't as loud. It's important that we listen to them as well.

Back in the 2001 budget, people with developmental disabilities and those who work to provide support to them received a five-year budget commitment going up to \$197 million a year, in addition to \$67 million in capital. This is to help families, particularly aging parents who have raised children with a developmental disability who are now adults. It includes residential support, day programs and respite support. This announcement was greeted with great fanfare when, as a by-election candidate, the Minister of Finance, Greg Sorbara, complimented the previous government on this important initiative.

Today, on behalf of people with developmental disabilities, not just in my constituency of Nepean-Carleton but throughout Ontario, I want to call upon the minister to keep his commitment to our most vulnerable citizens with developmental disabilities and continue this worthwhile initiative that has done so much to help the most vulnerable in our communities.

#### RIDING OF SARNIA-LAMBTON

**Ms Caroline Di Cocco (Sarnia-Lambton):** I am pleased to rise in this House to speak about Sarnia-Lambton's journey to sustainable development. With the political will of this government and its Ministry of the Environment, the co-operation of industry and the great safety record of our local workforce, Sarnia-Lambton is well on its way to becoming a model community that is able to achieve a pro-environment, pro-business standard of excellence. This is the 21st-century way of doing business.

Sarnia-Lambton has had a troubled legacy of environmental problems. Our government, under Premier Dalton

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McGuinty, is playing a constructive role in helping us to turn this image around. It is only with the understanding that it is with pro-environment and pro-business attitudes that we will be able to achieve sustainable development. And only with strong leadership from government at all levels and industry and public support will we be able to achieve this goal of sustainable development.

#### LONG-TERM CARE

**Mr John O'Toole (Durham):** On Friday, April 23, Mr Jerry Ouellette and I visited the Wynfield, a new long-term-care facility in my riding. Ms Katherine Jackson, the administrator, showed us around and gave us a tour of the facility. At the same meeting was Mr Bruce Scully, director of operations for community care.

The Wynfield, as you might know, is a beautiful, new long-term-care facility, home to 172 residents. On our tour, I was impressed with the caring staff and the cheerful residents.

Elizabeth Witmer, our health critic and former health minister, asked Minister Smitherman a question on April 6 on long-term-care issues. The minister refused to be clear on the Liberal election platform to invest \$6,000 per resident. The facts are unclear, creating instability. However, for Wynfield and its 172 seniors and over 120 staff, the future is anything but bright. The traditional municipal tax rebate of 90% is being retroactively clawed back. This will force Wynfield and other long-term-care facilities in Ontario to reduce services to clients and, potentially, to lay off staff.

I am certain Elizabeth Witmer will act to protect our long-term-care community and will work to protect senior citizens. Will Mr Smitherman ignore the issue, while breaking yet another Liberal promise?

#### EVENTS IN YORK WEST

**Mr Mario Sergio (York West):** Last Friday, I had the privilege of attending the grand opening of our new industrial woodworking and pre-apprenticeship facility in my riding of York West. Before, a space unutilized, it's now providing students with hands-on learning experience as well as computer-assisted machine training for industrial woodworking.

As we are well aware, there has long been a cry in the marketplace for skilled tradespeople. I'm delighted that establishments such as this, along with the \$10 million allotted for Ontario's apprenticeship program, will help

in opening the gate for the success of our youth and enhance the future prosperity of our great province.

Established with the positive partnership and co-operation of the Maintenance and Construction Skilled Trades Council, design and construction services, the Toronto District School Board, the industrial wood-workers' local 1072 and the carpenters' union local 27, their combined efforts have contributed to making this dream a viable reality.

It gives me great pleasure as well to announce another happy event which transpired Friday morning. A \$71,000 Ontario Trillium Foundation grant was presented to the Philip Aziz Centre, a community-based home hospice program that will give support to children, families and adults living with HIV and other life-threatening illnesses. The centre provides a critically important role in our community by restoring competence and compassion to hospice care. York West is fortunate to have a specialized organization devoted to assisting our people in need.

#### SECOND-STAGE HOUSING

**Ms Marilyn Churley (Toronto-Danforth):** I rise today to remind the government of its commitment to refund second-stage housing in this province. I believe it was on April 6 that the Premier made an announcement of \$3.5 million, which led us all to believe, including the people who work, or used to work, in second-stage housing, that that \$3.5 million would go towards refunding the programs the previous government cut in the existing second-stage housing.

I even stood in this House after the announcement was made—it's on the record—congratulating the government for finally keeping a promise and reinstating that \$3.5 million back into the existing second-stage housing. As you know, under the previous government, all of those programs were cut.

We were all led to believe that \$3.5 million was going into that existing housing. I questioned the minister a day later, and the result of that questioning was that that money is not actually going back into existing second-stage housing, although the minister for children's services was not clear about that. But we have talked to ministry officials, and what is happening is that there will be consultations about how that money will be spent. The government should keep its promise and put that money back into programs in existing second-stage housing.

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#### POWASSAN MAPLE SYRUP FESTIVAL

**Ms Monique M. Smith (Nipissing):** I rise today to congratulate the organizing committee of the Powassan Maple Syrup Festival for their efforts over the weekend. The seventh annual Powassan Maple Syrup Festival took place this past Saturday in my riding and attracted thousands from our area.

Visitors were provided with bus rides to two local maple syrup manufacturers, horse-drawn carriage rides,

performances on three stages by local talent and all kinds of maple syrup delicacies, including beaver tails, maple syrup baked beans, maple syrup cotton candy and—I'm sure what the member for Durham would appreciate—maple syrup butter tarts.

The event included the entire community, with local churches, schools, service clubs and local businesses participating. Many local craftspeople and artisans have booths on the main street. As well, Geisler Brothers, known worldwide for their cedar strip boats, opened up their workshop and allowed tours.

The highlight for me, of course, was the celebrity pancake toss. The mayors of South River, Nipissing, Chisholm, East Ferris and the former mayor of North Bay as well as the defending champion, the mayor of Powassan, participated. Unfortunately, I was not successful—not enough practice this year—but hats off to the mayor of South River, who holds the title.

I would like to salute George Thompson, the chair of this festival, and his entire committee as well as Bob Young, the mayor of Powassan, for a delightful day. I've already marked the eighth annual festival on my calendar for next April and invite all the members of this assembly to join me in Powassan.

#### WATER QUALITY

**Mr Garfield Dunlop (Simcoe North):** I am pleased to rise this afternoon to speak on behalf of the many thousands of rural Ontario churches and community halls.

The Dalton McGuinty church tax is the newest Liberal assault on the citizens of rural Ontario. It is very clear that many rural Ontario churches and community halls will be forced to close as a result of the implementation of regulation 170/03.

After a very rigorous partisan advertising campaign costing Ontario citizens tens of thousands of dollars, it is now clear that the McGuinty Liberals will force churches and community halls to install expensive water treatment equipment.

Church congregations and community halls are most often supported by fewer than 20 to 30 families, and yet the churches and community halls are the heart and soul of rural Ontario. Without compensation from the McGuinty Liberals, we will see rural communities fall one at a time.

I'm asking the McGuinty Liberals to think beyond the GTA borders and respect the hard-working families of rural Ontario. They expect and deserve to have churches and community halls. They expect that their churches and community halls, most often built over 100 years ago, can remain active and vibrant for many more years to come. I call upon the McGuinty Liberals to compensate the citizens of rural Ontario as they force the implementation of regulation 170/03.

I'd also like to thank the deputy mayor of the township of Severn in my riding, Judith Cox, who is distributing petitions to all the churches and community halls in the riding of Simcoe North.

## HERITAGE CONSERVATION

**Mr Tony C. Wong (Markham):** Today I would like to recognize an important milestone in my riding: the 150th anniversary of the naming of the village of Unionville in the town of Markham. Unionville officially kicked off its celebrations this past weekend on Sunday, April 25.

For the early German settlers to the area, 1854 must have been a proud year as they witnessed their village get a post office and thus a name. In 2004, Unionville will celebrate its finely preserved heritage, an important part of which centres around the many exceptionally well-preserved heritage buildings on Main Street. Some of these buildings are still occupied by the direct descendants of the original owners from the 1820s. Unionville's careful preservation of these buildings has earned much praise and has helped Markham win the Prince of Wales heritage award for heritage preservation.

Markham was the first city in Canada to receive this prestigious award from the Prince of Wales. I am proud that Markham is setting such a fine example in heritage preservation. I'm also proud that this government, which recognizes successes like Unionville, has recently introduced legislation strengthening heritage preservation in Ontario.

The 150th anniversary celebrations in Unionville will focus on music, art and culture in a year-long extravaganza. Unionville's award-winning heritage Main Street welcomes you.

## ENVIRONMENTAL ASSESSMENT

**Mr Norman W. Sterling (Lanark-Carleton):** In question period on Thursday, I asked the environment minister a serious question about a life-and-death issue in my riding: the four-laning of Highway 7 between Carleton Place and Highway 417. In response, I received a bizarre and entirely inappropriate attack. The minister indicated a personal grudge against me and suggested she intended to take her animosity out on my constituents. Further, she made the comments while acting as Premier in this Legislature.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Let me hear the member's statement.

**Mr Sterling:** Needless to say, my colleagues, my constituents and I were surprised and dismayed.

In my part of the province, many people know someone who has been killed along this stretch of Highway 7. That's why the previous government committed \$85 million to this much-needed four-laning.

As I stated in the Legislature last week, people are dying on the existing two-lane highway. Progress is being held up due to an environmental approval, in spite of this being a minor environmental approval. The minister has sat on this file for over six months. It is clear that this minister is not on top of this file.

I'm calling on the Premier to intervene. What should be a routine part of her ministry's function has clearly slipped off the radar screen. We can save lives by moving forward with the four-laning of Highway 7. The government must act today.

## INTRODUCTION OF BILLS

### EMPLOYMENT STANDARDS AMENDMENT ACT (HOURS OF WORK AND OTHER MATTERS), 2004

### LOI DE 2004 MODIFIANT LA LOI SUR LES NORMES D'EMPLOI (HEURES DE TRAVAIL ET AUTRES QUESTIONS)

Mr Bentley moved first reading of the following bill:

Bill 63, An Act to amend the Employment Standards Act, 2000 with respect to hours of work and certain other matters / Projet de loi 63, Loi modifiant la Loi de 2000 sur les normes d'emploi en ce qui concerne les heures de travail et d'autres questions.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Mr Bentley.

**Hon Christopher Bentley (Minister of Labour):** I will defer my statement to ministerial statements.

### PENSION BENEFITS AMENDMENT ACT, 2004

### LOI DE 2004 MODIFIANT LA LOI SUR LES RÉGIMES DE RETRAITE

Mr Kormos moved first reading of the following bill:

Bill 64, An Act to amend the Pension Benefits Act / Projet de loi 64, Loi modifiant la Loi sur les régimes de retraite.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Mr Kormos.

**Mr Peter Kormos (Niagara Centre):** This bill amends the Pension Benefits Act to raise the amount guaranteed by the pension benefits guarantee fund from \$1,000 per month to \$2,500 per month.

### COLLECTION AGENCIES AMENDMENT ACT, 2004

### LOI DE 2004 MODIFIANT LA LOI SUR LES AGENCES DE RECOUVREMENT

Mr Sergio moved first reading of the following bill:

Bill 65, An Act to amend the Collection Agencies Act / Projet de loi 65, Loi modifiant la Loi sur les agences de recouvrement.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Mr Sergio.

**Mr Mario Sergio (York West):** The bill amends the Collection Agencies Act by specifying that certain behaviours are prohibited practices and prohibited methods in the collection of debt. The bill establishes a discipline committee and an appeals committee to deal with complaints concerning engaging in prohibited practices or employing prohibited methods in the collection of debt.

1350

PRIVATE INVESTIGATORS  
AND SECURITY GUARDS  
AMENDMENT ACT, 2004

LOI DE 2004 MODIFIANT LA LOI  
SUR LES ENQUÊTEURS PRIVÉS  
ET LES GARDIENS

Mr Sergio moved first reading of the following bill:

Bill 66, An Act to amend the Private Investigators and Security Guards Act / Projet de loi 66, Loi modifiant la Loi sur les enquêteurs privés et les gardiens.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carried? Carried.

**Mr Mario Sergio (York West):** The bill amends the Private Investigators and Security Guards Act to require that licensees under the act meet certain educational and other standards.

Pipeline Excavation Safety  
and Accountability Act, 2004

LOI DE 2004 SUR LA SÉCURITÉ  
ET LA RESPONSABILISATION  
RELATIVES À L'EXCAVATION  
DE PIPELINES

Mr Sergio moved first reading of the following bill:

Bill 67, An Act to provide for greater safety and accountability in pipeline excavations and to amend the Technical Standards and Safety Act, 2000 to require annual reports in the pipeline sector and to increase penalties for offences under the Act / Projet de loi 67, Loi prévoyant une sécurité et une responsabilisation accrues en matière d'excavation de pipelines et modifiant la Loi de 2000 sur les normes techniques et la sécurité afin d'exiger la présentation de rapports annuels dans le secteur des pipelines et d'augmenter les peines imposées pour les infractions à la Loi.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Mario Sergio (York West):** The bill places a duty on the operators of pipelines to obtain declarations from professional engineers specifying the location of their pipelines and places a duty on engineers to provide those declarations with care and skill. Anyone engaged in

an activity that may interfere with a pipeline is required to first ascertain the location of the pipeline from the operator and then to engage in the activity that may interfere with the pipeline safely and with skill.

The bill also provides that it is an offence to breach any of the various duties imposed with respect to safe pipeline excavation and establishes maximum penalties for those offences.

In addition, the bill amends the Technical Standards and Safety Act, 2000, to require designated administrative authorities and directors to submit annual reports to the minister on the state of public safety in the oil and gas pipeline sector. The minister is required to submit each report to the Lieutenant Governor in Council and to table it in the Legislative Assembly.

Finally, the penalties for offenders under the act are increased, and the penalties for a director or officer of a body corporate who fails to take reasonable care to prevent the body corporate from committing an offence under the act are increased as well.

STATEMENTS BY THE MINISTRY  
AND RESPONSES

HOURS OF WORK  
HEURES DE TRAVAIL

**Hon Christopher Bentley (Minister of Labour):** Today I have the privilege of introducing the Employment Standards Amendment Act (Hours of Work and other Matters), 2004. As a government, we are delivering real, positive change by introducing legislation that would, if passed, ensure employees have a genuine choice about whether to work extra hours. This government made a commitment to end the 60-hour work-week introduced by the previous government and to restore a worker's right to choose whether to work more than 48 hours in a week. This legislation keeps that commitment.

We are taking a fair, balanced approach. We will protect the vulnerable and support the choice of all workers whether to work extra hours, while ensuring Ontario businesses have the necessary flexibility to compete nationally and internationally.

To work more than 48 hours, the employee must agree and the employer's application must receive Ministry of Labour approval.

Les employés dévoués de l'Ontario méritent de pouvoir concilier une vie professionnelle et une vie personnelle riche et valorisante.

La législation adoptée par le gouvernement précédent a fait en sorte que certains employés étaient trop préoccupés par leur travail pour refuser à leur employeur de travailler jusqu'à 60 heures par semaine. Aucun mécanisme de surveillance gouvernemental n'était en place pour appuyer le choix des employés. On avait aboli, sans trop se préoccuper de la façon dont les

personnes vulnérables pourraient faire valoir leurs droits, un mécanisme de protection fondamental qui était en place depuis des décennies.

This is not a small issue. Estimates are that over 466,000 Ontario employees worked 50 or more hours in a week in 2003—and those are the ones we can measure. Those are most likely underestimates, as it is difficult to measure workers in the most vulnerable situations. A recent study by Dr Linda Duxbury of Carleton University and Dr Chris Higgins of the University of Western Ontario found that work-life conflict has increased over the past decade. They also found that work demands have increased, leading to a significant portion of the Canadian workforce having trouble balancing the competing roles of employee, parent, spouse and elder caregiver.

After announcing our government's intention to roll back the 60-hour workweek, we asked for the best advice on how to achieve that goal. During the ensuing consultations, ministry officials met with 31 key labour, employer and community stakeholders. We received over 30 submissions from other stakeholders and almost 80 letters from members of the general public.

We listened. We are proposing to restore a protection that existed for decades, but doing so in a way that reflects the need of business to compete in today's society. With the companion announcement I will speak to in a moment, we will also ensure that the legislation will actually protect those it must.

Ministry approval would be streamlined for businesses. They would be able to file on-line, by fax, by mail or in person and receive timely responses from the Ministry of Labour. Approvals could be for up to three years, eliminating the necessity to apply every year. Sample agreements and simplified forms would be provided. There would be no fee. A transition period would allow employers time to get ministry approval before the law comes into effect. The ability to respond to the special or distinct needs of a particular industry through regulation would be restored.

The proposed legislation also deals with the issue of overtime averaging. Averaging has the potential to lower the amount of overtime pay employees might receive. We must ensure that employees are agreeing to overtime averaging for the right reasons, without undue pressure from their employer.

#### **1400**

The current act allows employees to agree to have their overtime hours averaged over a period of up to four weeks without Ministry of Labour approval. We are restoring the requirement that ministry approval be obtained for averaging of any overtime, a protection that had existed for decades before it was removed in the Employment Standards Act, 2000. Employees have the right to make an informed and effective choice.

These new protections will be supported by a new approach to awareness and enforcement. Two of the biggest obstacles to ensuring the act protects those it must are a lack of awareness of rights and responsibilities

by employees and employers, and a lack of enforcement of those rights and responsibilities.

First, we will be increasing awareness of the rights and responsibilities for both employers and employees. The overwhelming majority of employers either do or want to do the right thing. Many are not aware of their responsibilities, and it is not always easy to find out about them. We are developing a workplace portal which will provide easy-to-use information about workplace rights and responsibilities. This will ensure businesses can easily determine how to keep themselves in compliance with the act.

For employees, we recognize that many of the most vulnerable are recent arrivals to Ontario who are not aware of their rights. Many others speak a language other than English or French. Workers need basic information in a form they can use. We will develop information in different languages and then partner with community groups, legal clinics and others to make sure that the information is disseminated as widely as possible.

What about enforcement? What should we do when some refuse to comply? Rights without remedies will not be rights for long. Remedies that are not used are not remedies at all.

Both business groups and workers have told us that a new, more effective approach to enforcement of employment standards is long overdue. Such an approach would protect vulnerable workers and at the same time level the playing field for honest employers who comply with the rules.

The Employment Standards Act, 2000, contains many enforcement tools to ensure that the rights in the act are protected, but those tools are not being used as effectively as they could be. The result has been that those who need the act's protections may not always be getting them and those who comply with the act are often placed at a competitive disadvantage to those who choose not to.

To support the proposed hours-of-work legislation, and every other right in the Employment Standards Act, 2000, we are taking a different approach than has been followed. We are going to make sure that all the tools in the Employment Standards Act, 2000, are used, where appropriate, to ensure compliance. We have changed the dial. Enforcement is back in style.

In conclusion, the legislation introduced today will help us build a strong and prosperous Ontario by building an economy based on high skills and high standards.

We are proposing a set of rules for regulating hours of work that will work for everyone—employers and employees. We will support these proposed rules and every other protection in the Employment Standards Act, 2000, with new awareness initiatives and enhanced enforcement.

We are working toward building a strong and prosperous economy, one that will provide the people of Ontario with the highest quality of life that is second to none.

These are positive changes for all the people of Ontario.

**The Speaker (Hon Alvin Curling): Responses?**

**Mr Jim Flaherty (Whitby-Ajax):** If one were to read the papers and listen to the radio this morning and now listen to the Minister of Labour in this place, you would think that this is significant legislation. You'd think, in fact, that people have been obliged, have been forced, to work 60 hours a week over the past several years in Ontario. Nothing could be further from the truth. It's a disservice to the people of Ontario for this minister and this government to pretend that any employee in the province of Ontario—small business, big business—has been obliged to work 60 hours a week against their will since the Employment Standards Act was amended in 2000. That is wrong.

The minister talks about economic growth. Here's how you encourage economic growth, according to this Minister of Labour and this government: Bring back an old-fashioned, rubber-stamp-permit data system at the Ministry of Labour. Have a whole bunch of public servants on University Avenue at the Ministry of Labour doing what they used to do: rubber-stamping these permits week after week in industries where people need flexible hours, in small business and in large business. What a waste of resources: red tape upon tax increases. That's how you intend to grow the economy in the province of Ontario.

We lost 25,000 jobs in the province last month. The minister says he is concerned about economic growth. If he's concerned about economic growth, he ought to emulate the policies that we followed, that created in excess of a million net new jobs in Ontario. The Liberals have this patronizing attitude; that is, they know here at 400 University Avenue what's good for small business in the province of Ontario. They know what to say to someone in Thornhill or Sudbury or Thunder Bay or Haileybury. Tell them how to run their business. Give them another paper burden so that when they agree with their employees to work an extra few hours—a written agreement, which is the law now—it has to come to University Avenue in Toronto so someone can rubber-stamp it and send it back to the hard-working small business owners and small business workers in the province.

At what cost to taxpayers, Minister of Labour? It's certainly no benefit, but at what cost to taxpayers? The deal now, the arrangement now, is that if an employee is going to work more than 48 hours in a given week, the employer and the employee must agree in writing in order to do that. The system has worked well. I was talking to some of my colleagues here, asking them about the number of complaints they have had about this system.

*Interjections: None.*

**Mr Flaherty:** None. We hear nothing, because the system works—perhaps some complaints from the Ontario public service that positions that were involved in granting permits were eliminated, but it adds nothing to business and to economic growth in the province of Ontario.

Show some respect to small business. Small business is the engine of economic growth. More than half the

new jobs in Ontario in the last nine years have been created by small business. They don't need another burden. They don't need another form from the Ministry of Labour on University Avenue. What they need is some understanding of what they are obliged to do in order to make a living, to grow their businesses, to employ more people in the province, not an additional red tape burden.

Small business people work hard enough, and big business does too. I can remember visiting one of the large manufacturers in Ontario—I'm glad the Minister of Economic Development is here—and hearing from them about the paper burden with the Ministry of Labour's employment standards branch in the province of Ontario. Their employees wanted to have flexible hours. They wanted to work some overtime. It's one of the most important industries in the province. But no. This Minister of Labour says that his government wants to grow the economy, but they're putting this burden on small business and on large business across the province.

It's pseudo-reform; it's reform without meaning. It changes nothing in the lives of workers in the province of Ontario. It's a smokescreen. It is purely a creation of forms and permits. In fact, it's going back to 1985 and 1990, when we had all these forms and permits and where the Liberal mantra was—and it looks like it is again, with the largest single tax hike in the history of the province—"If it moves, tax it; if it slows down, subsidize it; if it stops, nationalize it."

*Interjections.***The Speaker: Order. Responses?**

**Mr Howard Hampton (Kenora-Rainy River):** I feel compelled to respond.

**The Speaker:** If I could give you your proper time. Order.

**1410**

**Mr Hampton:** On behalf of New Democrats, I feel compelled to reply to what amounts to nothing more than media spin.

Under the Conservatives, workers could be coerced into working a 60-hour workweek. Now, under the Liberals, workers can be coerced into working a 60-hour workweek. All the employer needs to do is to say, "You work 60 hours or you'll be out of here." Then they sign and he sends in an application, but the application doesn't even have to be considered, because after 30 days it's automatic.

Under the Conservatives, we saw a whole lot of inspectors and enforcement officers at the employment standards branch laid off, so that the branch became quite ineffective in terms of being able to go out there and protect the rights of workers, particularly workers who don't have a union. Under the Liberals, are those same inspectors and enforcement officers coming back? No. The Liberals are going to follow the Conservative staffing plan, which means completely ineffective enforcement.

Under the Conservatives, an employer could deprive his workers of overtime pay simply by opting for averaging. Under the Liberals, he simply coerces his workers into signing and then files an application for

averaging of overtime pay, and the application doesn't even have to be considered. It's automatic after 30 days.

The Conservatives should be pleased today. What's happened here is that the Conservative regime of the 60-hour workweek has simply gotten a little Liberal-red wrapping paper but remains essentially the same. I thought for sure—I was hoping—the minister would be here today to tell us that the "just cause" provisions in the Employment Standards Act were going to be tightened up so that it would give workers some options when an employer tried to coerce them. I thought there would be some criteria in the bill which an employer would have to meet when he applies for longer overtime hours, that the alternatives like hiring new employees would have to be considered. Nothing like that is there. This is wide open.

I thought for sure there would be some provisions which ensured that workers were going to be paid their overtime pay, but this allows for the same kind of averaging, the same kind of deprivation of overtime pay that existed under the Conservatives.

The minister talks about enhanced enforcement, but when the minister talks about that, he should know that there is an existing backlog of 20,000 complaints at the employment standards branch of the Ministry of Labour. And do you know what most of those complaints involve? Complaints by workers: failure of the employer to pay wages, failure of the employer to pay overtime, failure of the employer to pay vacation pay.

The minister says he is going to become proactive. What is he going to do? Tell the 20,000 complainants who have already said, "I wasn't paid the wages that were due to me" to take a hike? Is that what you are going to do? You don't even have a strategy to deal with the backlog, never mind be proactive about future enforcement.

The government likes to talk about change, but the only thing that has changed here is a little bit of Liberal gift-wrapping on top of Conservative policy which was very damaging to workers. That is the only thing that has happened.

The other point that I want to raise is, what happens to a lot of lower-paid workers, a lot of workers who are working for minimum wage, who work in two jobs? Many of them do. What happens if the employer says, "You are going to work overtime here. Sign here. If you don't sign here, you're gone," and then files the application, which no one needs to consider? What happens to those workers? Is there any protection for them in this bill? I don't see any. I don't see any protection at all.

A further point: The government says that somehow this is restoring the law to what it was. I wish the government had just restored the law to what it was under Bill Davis in 1980, but you don't even meet that test. You even fall short of that test here.

#### MEMBER'S CONDUCT

**The Speaker (Hon Alvin Curling):** On Tuesday, April 20, 2004, the member for Erie-Lincoln, Mr Hudak, rose on a question of privilege concerning an incident

that occurred immediately after the adjournment of the House on Wednesday, April 14.

As members well know, just prior to the adjournment of the House on April 14, the Deputy Speaker was presiding over a recorded vote on a motion of non-confidence in the government. The atmosphere of the House at the time of the vote was raucous, and immediately after the vote, the Deputy Speaker made a statement to the House on the situation. However, emotions continued to run high after the ensuing adjournment of the House.

According to the member for Erie-Lincoln, it was at this time that the Deputy Speaker, who was in the under-gallery on his way out of the chamber, directed gestures and facial expressions toward him. The member was of the view that these gestures and expressions amounted to a contempt of the House, so he asked the Speaker to rule that a *prima facie* case of contempt exists.

The member for Haldimand-Norfolk-Brant, Mr Barrett; the member for Niagara Centre, Mr Kormos; and government House leader, Mr Duncan also spoke to this matter.

Then, on April 22, the member for Essex, during a point of personal explanation, indicated to the House his position that what he was attempting to do at the time in question was invite the member for Erie-Lincoln behind the dais to discuss what had occurred during the vote that had just taken place.

I had an opportunity to reflect on this matter, and I am now going to rule. Since it is not appropriate to question the conduct, suitability or impartiality of the Chair on a point of privilege, which the member of Erie-Lincoln has acknowledged, I will address only the contempt issue in this ruling. Erskine May defines contempt in the following terms on pages 108, 117 and 120 of the 22nd edition:

"Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence. It is therefore impossible to list every act which might be considered to amount to a contempt, the power to punish for such an offence being of its nature discretionary...."

"Indignities offered to the House by words spoken or writings published reflecting on its character or proceedings have been punished by both the Lords and the Commons upon the principle that such acts tend to obstruct the Houses in the performance of their functions by diminishing the respect due to them...."

"Other acts besides words spoken or writings published reflecting upon either House or its proceedings which, though they do not tend directly to obstruct or impede either House in the performance of its functions, yet have a tendency to produce this result indirectly by bringing such House into odium, contempt or ridicule or by lowering its authority may constitute contempts."

That is what Erskine May says on contempt.

In our own House, there have been several occasions on which a member has alleged that another member threatened or intimidated that member. For example, on December 5, 2000, a question of privilege was raised concerning an allegedly threatening and intimidating remark made by a minister to another member while the minister was leaving his seat in the chamber.

The Acting Speaker ruled, on page 6103 of the Hansard for that day as follows: "I understand there's a difference of opinion here as to what was and what wasn't said. None of what has been alleged to be said is on the record so we don't have the privileges of being able to take a look at that. I would ask all honourable members in this place to respect the privilege of each other, as we are expected to do or are wont to do or are understood to be doing when we're sent here by the electorate, and that in future we will act accordingly."

**1420**

Later the same day, a member rose on a point of order to indicate that during a recess for grave disorder, another member had crossed the floor and approached him at his desk in a physically intimidating and threatening manner. The Acting Speaker ruled, at page 6123 of the Hansard for that day, as follows:

"While all that happened, the House was in recess and I wasn't here. I have no reason to doubt the scenario you've painted. However, I would expect all members in this place, duly elected by their constituents, to assume to be honourable and that they would carry themselves in that manner in this place."

Finally, on October 23, 2001, a point of order was raised concerning a member's alleged challenge to another member as the former was leaving the chamber at the end of question period to meet him outside the chamber. The Speaker dealt with the point of order by indicating, at pages 2929 and 2930 of the Hansard for that day, as follows:

"I know that occasionally members do get rather heated in here. I'm sure the member will agree that the Sergeant at Arms does all he can. In circumstances like this, if members could realize that we are honourable members—and in fact on that particular occasion, it could have been a discussion taken outside. I would ask all members to act honourably, which I'm sure they will do."

I say to members of this House that in a proper case, threatening or intimidating behaviour by a member against another member can amount to a contempt of the House. In assessing whether the alleged behaviour in the case at hand establishes a *prima facie* case of contempt, I have to say that there are different ways to interpret what actually occurred. Indeed, these differences were reflected in the various submissions and statements that were made in the House concerning this question of privilege: What the member for Erie-Lincoln claims was threatening and intimidating conduct, the member for Essex claims was an invitation to explain a rule. The competing claims of the honourable members lead me to the view that in this case the Speaker is not in a position to make a

preliminary finding as to the nature and intention of the conduct in question. Therefore, I find that a *prima facie* case of contempt has not been made.

In closing, I want to thank the member for Erie-Lincoln, the member for Haldimand-Norfolk-Brant, the member for Niagara Centre, the government House leader and the member for Essex for their thoughtful and helpful contributions on this matter.

**Mr Peter Kormos (Niagara Centre):** Mr Speaker, just very briefly, it's an unpleasant thing for the Speaker to have to consider a matter like this. I want to thank you for your consideration of the issues raised before you.

## ORAL QUESTIONS

### CLASS SIZE

**Mr Jim Flaherty (Whitby-Ajax):** My question is to the Premier. You have often said in this place that there are limited resources available budget-wise. On Thursday you announced in Richmond Hill that the government of Ontario would be imposing on local schools a hard cap of 20 students per class from kindergarten to grade 3. That has been costed by ministry officials at \$1.63 billion, which is more than the government plans to spend on education in total.

We know that you've had the Ontario public service cost your promises. My question to you today is, first of all, what is the cost of the hard cap of 20 students per class from K to grade 3 when it is fully implemented? Is it \$1.63 billion, as the ministry told us, or do you have another figure?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I'm very pleased to speak to this issue and to this question in particular. I will tell the member opposite that he can look forward to the budgetary details in the upcoming budget. But let me tell you this: We are absolutely determined to get class sizes down, in the early years in our public schools, to a maximum of 20 for the years JK to grade 3. That evolution will begin to take place this very September. I'll tell you why we believe it's so important: because we think our children deserve more individual attention so they might find greater success inside our schools. Only one half of Ontario children who are taking our standardized tests are meeting the Ontario standard when it comes to reading, writing and mathematics. So instead of investing in private schools, which the member opposite was a champion for, we are going to invest in our public schools for our students to enjoy success.

**Mr Flaherty:** The question to the Premier was not a complicated one. It was, how much? The people of Ontario did not get an answer.

We know the Liberal platform said that the cost would be something like \$375 million, and we know that's wrong. We know that in September, for example, the York Region District School Board figured it would cost

them \$50 million, and the York region Catholic board, \$20 million—a lot of this money to be spent on portables and that kind of thing, not on literacy and on numeracy in our schools. That's \$70 million in just one region of Ontario, which shows how unreasonable, how foolish the figure is being used by the Premier of Ontario.

We also have a commitment from this government to fulfill the Rozanski recommendations, at a cost of \$1.6 billion. They are now going to spend all of that on one ideological commitment to a hard cap. Will the Premier confirm that he intends in this mandate to fulfill all of the recommendations of the Rozanski report?

**Hon Mr McGuinty:** I will not apologize for this government investing in the future of Ontario by investing in our children. I'll tell you why this investment is so desperately called for. During the course of the last eight years, we've had a 40% increase in private school enrollment. We've had 200 new private schools open in the province of Ontario, whereas 400 public schools have been closed. It is estimated that as many as 25% of our high school students will be dropping out of school. To us on this side of the House, those figures are unacceptable.

Just as this member was committed to investing in private schools, we on this side of the House are committed to investing in better public schools for all our children.

**Mr Flaherty:** I suggest to the Premier that his government and he himself have not thought this through. How does it help literacy in grades 8, 9 and 10 when they may have larger classes because of this commitment of in excess of \$1.6 billion? How does it help students in K through grade 3 to be put out in the schoolyard in portables? It's going backwards.

How does it help a principal, who is trying to be flexible managing his or her school, when the 21st student walks in the door in grade 2, having to go hire another teacher, having to get a portable, having perhaps split classes between grade 2 and grade 3? This is not progress. This is retrograde in Ontario. It is an ideological commitment by this Premier to an artificial hard cap.

What I say to the Premier is, go and consult with the principals of the local grade schools in the province. Will you commit to have an open public consultation with all of the principals of the public schools in the province of Ontario?

**Hon Mr McGuinty:** I do not underestimate the extent of the challenge before us, but we're bringing something to this task that was sorely lacking in our predecessors. We're bringing commitment. We're bringing energy. We're bringing dedication. We're bringing a sincere desire to do what is needed for the benefit of our students.

It may be that they don't vote. It may be that they are not a powerful lobby group. It may be that they don't phone us, write us and stand outside on the front lawn here at Queen's Park, but we believe that it's in their interest and in the interest of our province's future that

we support public schools. We will never apologize for that.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. I was just wondering if you were ready for your second question.

New question.

1430

**Mr Frank Klees (Oak Ridges):** My question is to the Premier. Could you tell us in this House, could you tell school boards, could you tell parents, could you tell superintendents across this province how many teachers you're going to hire?

**Hon Mr McGuinty:** I will hire as many teachers as are necessary to ensure that we have a cap of 20 students in classes from JK through grade 3 by the end of our term. My advice to the member opposite and his colleagues would be to focus on the number that is of interest to parents and a benefit to students. It has to do with the number 20. It has to do with what should be a real cap on class sizes from JK to grade 3. That is the number that motivates us, that is the number that inspires us and that is the number on which we will deliver.

**Mr Klees:** I'd like you to be a little more specific. Did you not say on September 16, "We're going to hire over 1,000 new teachers annually," and "We've accounted for it in our plan"? Did you not say that?

**Hon Mr McGuinty:** I'm not sure what part of the number 20 the member opposite does not understand or is failing to grasp. Twenty is the number that is important to our schools, to our students and to our parents. At the end of the day we will employ as many teachers as are necessary in order for us to achieve that number. That is the number we are focused on.

**Mr Klees:** Speaking of focus, I'd like to speak about what you said on Graham Richardson's Focus Ontario this past Saturday. Will you admit to this House that you misspoke yourself when you told Graham Richardson that he was wrong about the number that he said you had committed to? Will you publicly apologize to Graham Richardson and the people of Ontario today?

**Hon Mr McGuinty:** If the member has an appetite for numbers, in addition to ensuring that we have 20 students per classroom from JK through grade 3, I was also very pleased to announce that in each elementary school in Ontario we are going to have lead teachers. Our goal, ultimately, is to have four lead teachers, specially trained, in every elementary school. It has never been done before. They will be specially trained in the delivery of literacy and numeracy to ensure that our students can achieve a standard that we know they're capable of achieving, that our province is worthy of.

#### GOVERNMENT'S RECORD

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Last week you flitted around the province with your so-called new vision speeches. But the people of Ontario are still asking questions about your last vision speeches of seven months ago, during the

election campaign. You had this vision that was called the Liberal election platform.

You must remember the vision of stopping development on the Oak Ridges moraine. That didn't happen. You must remember your vision of rolling back the tolls on Highway 407. That didn't happen. You must remember your vision that you were going to maintain the hydro rate freeze. That didn't happen. Premier, given your failure on all of those visions, why should people believe any of your so-called new visions?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I want to focus for a moment on the education announcement that we made last week. The question I would have for the leader of the NDP is, what part of our commitments does he not support with respect to education? Does he not support the investment of \$112 million we made into schools to help struggling students? Does he not support the restoration of democracy we brought to Toronto and a couple of other school boards? Does he not support our tuition freeze? And why did he not support our getting rid of the private school tax credit? Why did he vote against that?

We have made significant steps on the matter of public education, on the matter of medicare, and we look forward to doing so much more as our term unfolds.

**Mr Hampton:** Let's talk about your education vision, which I think is more aptly called a revision.

On September 16, 2003, you said, "We are going to hire over 1,000 teachers, new teachers, on an annual basis." That's 5,000 new teachers, you said, over the term. This weekend on Focus Ontario, Mr Richardson asked you about that and you said, "You're mistaken." You tried to deny that. Then, of course, Mr Richardson produced a video clip of your lips moving and you saying those exact words.

When you can't even be accountable on what you said six months ago, how can people believe what you are saying now?

**Hon Mr McGuinty:** I say to my friend opposite, is that really the best he can do when so much is at stake in the matter of public education? I said we will hire as many teachers as are necessary in order for us to achieve our goal of a maximum number of 20 students per year from JK through to grade 3. That's what it's all about.

What I would have expected from the member opposite was his support at least for our getting rid of the private school tax credit in Ontario. I would have expected that at a minimum. I would have expected him to jump up today and say, "Yes, I'm with you when it comes to 20 students, I'm with you when it comes to having lead teachers inside our elementary schools and I'm with you when it comes to your support for public education at long last." Those are the kinds of expressions of support that I would have expected from the member opposite.

**The Speaker (Hon Alvin Curling):** New question.

**Mr Hampton:** I suspect we are going to get lots of other video clips where the lips moved and you promised this and you failed to deliver.

Let's talk about your health vision. Remember your vision to put an end to P3 hospitals? You didn't do that. Remember your vision to hire 8,000 new nurses? We've got less than 800. Remember your vision to extend IBI autism treatment to kids over age six? Apparently that was a hallucination as well.

Premier, I ask you again: When you have already broken all these promises on health care, why should people put any faith in your so-called revision that you announced last week?

**Hon Mr McGuinty:** On the matter of health care, I took the opportunity last week before a convention of the Registered Nurses Association of Ontario to let them know that we are going to assume our leadership responsibilities in Canada when it comes to championing and defending medicare. I also indicated that Premier Campbell and myself have agreed that we will host a meeting of all the health care ministers for Canada. At that point in time we will come together, and ultimately we will meet with the Prime Minister with a view to ensuring that we bring a constructive, positive tone to the debate for health care as it unfolds in Canada. Our ultimate objective here is to secure, it is true, better financing from the federal government, but at the same time to ensure that not only Ontario but all provinces continue to benefit from a strong Canada Health Act and that we all continue to devote ourselves to the precepts of medicare.

1440

**Mr Hampton:** Last week, you said you and Mr Charest were going to lead; this week it's you and Mr Campbell from British Columbia. Would this be the same Mr Campbell who is privatizing every health service he can get his hands on in British Columbia? Would this be the same Jean Charest who is overwhelmingly unpopular in Quebec because he is trying to do the same thing? Premier, that's not much of a vision. That sounds like a nightmare.

But I want to remind you of another vision you had, a vision to cut auto insurance premiums by 10% to 20%. Now, when drivers across Ontario open up the notice, they get a 10% or 20% increase. Premier, when all of your visions over the last seven months have turned into revisions and nightmares, why should the people of Ontario trust any of your most recent visions?

**Hon Mr McGuinty:** We put out a number of important statements and announcements last week that spoke to some of our most pressing and urgent priorities, including the need for all of us to take responsibility when it comes to conserving electricity, and including the need for us, as a society frankly, to invest in public education, not only for purposes of enlightened self-interest but also because we sense an obligation toward our children.

I also took the opportunity last week to talk about medicare and the unfolding debate across the country, and to insert ourselves and assert ourselves as leaders in the nation when it comes to this particular issue. I have said on behalf of the people of Ontario that the position we will be bringing to this national debate is one that advocates and continues to champion medicare.

I believe that is the kind of vision the people of Ontario want laid before them, and we look forward to articulating more and more specifics as the days unfold.

### ENVIRONMENTAL ASSESSMENT

**Mr Norman W. Sterling (Lanark-Carleton):** My question is to the Premier. In your absence last Thursday, I put a question to the Acting Premier, the Minister of the Environment. As an Ottawa MPP, you will know that the previous government committed \$85 million to four-laning Highway 7 between Carleton Place and Highway 417. For more than six months now, your environment minister has failed to make a decision on a routine—some would say minor—environmental question related to the four-laning work.

My question to the minister was about this delay. In response, your environment minister delivered an entirely inappropriate reply. She indicated a personal grudge against me and suggested she intended to take her animosity out on my constituents. I have grown a pretty thick skin over the last 26 years I've sat here, and I expect that those attacks might come. But I cannot stand for the notion that your environment minister is putting forward; that is, she is making the ministry her personal fiefdom, rendering decisions based on personal feelings and preferences. My constituents have a right—

**The Speaker (Hon Alvin Curling):** Thank you, Premier.

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The minister informed the Legislature subsequent to this exchange that she had misspoken. She intended to say that she would in fact be providing better service, and that is exactly what she is doing.

I understand that certain things can be said in the heat of debate here, but let me assure you of this: I have a perspective on the minister's work ethic and performance that the members opposite do not have by virtue of our proximity, working together in cabinet. This minister is absolutely dedicated to providing good, quality public service, to standing up for the environment and doing the very best she can. I feel very confident in the approaches she's taking on behalf of the people of Ontario.

#### *Interjections.*

**The Speaker:** Let's settle down here. Supplementary.

**Mr Sterling:** I ask the Premier to read Hansard and draw his conclusions from Hansard.

As an Ottawa MPP, you will know the tragic toll that Highway 7 has taken. In our part of the province we all know of someone who has been killed along this stretch of highway. I'm told by one of my municipal councillors that at a recent ROMA conference your transportation minister said that you, Mr Premier, would make the final decision on which highway projects go ahead. Will you indicate today that your government will fulfill the province's already announced \$85-million commitment to fund the four-laning of Highway 7 between Carleton Place and Highway 417, and will you ensure that the

Ministry of the Environment deals with this minor decision very soon?

**Hon Mr McGuinty:** I would not categorize this decision as being minor. I think it's an important decision and should be given the time that is necessary to ensure that it's addressed in a responsible way. I know that the member opposite would be pleased with the announcement we made today in connection with the 417. We look forward to speaking to other announcements in connection with other highways.

The member makes a good point about the safety issues connected with Highway 7, and I commend him for raising this issue here on behalf of our fellow constituents in eastern Ontario. I recognize that it's an important issue, and we look forward to moving ahead on that score at some point.

### ENERGY CONSERVATION

**Mr Jim Brownell (Stormont-Dundas-Charlottenburgh):** My question is to the Minister of Energy. Last week our government committed to creating a culture of conservation, working to propel Ontarians to become leaders in North America in terms of energy conservation.

In my riding of Stormont-Dundas-Charlottenburgh, I attended the General Vanier Intermediate School to discuss energy conservation and to distribute energy-efficient light bulbs. As well, I attended the Raisin Region Conservation Authority's Earth Day at the Gray's Creek Conservation Area, where they provided spruce seedlings to residents.

Minister, recently you gave a speech outlining several initiatives to reform Ontario's electricity sector. Ontarians would agree that the vitality of our electricity system is essential to our province's prosperity. Can you explain how this plan will benefit the economy and the environment in Ontario?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** We have outlined a balanced plan that we believe will return an element of stability to the electricity sector that has been missing. Bill 35 did not work, did not reduce prices for electricity, did not create new supply and did not improve reliability of supply.

As we began this process, we outlined the broad parameters. I intend to be bringing in legislation later this session that will put that into even greater focus. We believe that creating stability in this industry is first and foremost. We believe this is the right step to take. It is one of a number of steps that must be taken to undo the problems that were created by the previous government.

**Mr Brownell:** Minister, during the past Tory regime Ontarians became reliant on price-capped power and a sense of artificial reliance on the government's ability to provide cheap, reliable power. As a province, we now understand the strains on our electricity system and the reality that we must conserve in order to ensure the lights will stay on.

I think we all agree that we need to develop new sources of electricity supply. Can you tell us how our government's plan will enable this now and in the future?

**Hon Dwight Duncan:** By 2020, factoring in growth in our economy, we need to replace approximately 80% of our existing generation. It's a huge undertaking that could turn out to be the largest infrastructure undertaking in the history of not only this province but also the country.

I am most pleased that our plans have been endorsed by the Ontario Clean Air Alliance; the Consumers Council of Canada, the Dominion Bond Rating Service Ltd, the Electricity Distributors Association, Standard and Poor's, the Association of Power Producers of Ontario, the Central Ontario Energy Alliance, the Canadian Energy Efficiency Alliance, and CanSIA, the Canadian Solar Industries Association.

Our plan represents a balanced plan to move forward, a plan that we readily acknowledge will need to be reformed and changed as time goes on to accommodate changing needs and changing demands. But this is a step we, as a province, must and will take. Premier McGuinty and his government are showing leadership in this vital—

**The Speaker (Hon Alvin Curling):** New question.

1450

## WATER QUALITY

**Mr Ernie Hardeman (Oxford):** Premier, I want to congratulate you, and obviously that hasn't been what's going on. In your quest to find more tax dollars, I see you have found a way to tax our churches. Before you became Premier, of course, they were exempt from taxation.

Because of the drinking water regulations, many rural community churches can no longer afford to operate. In rural Ontario, these churches are often places where child care and community programs are delivered. Now that these churches will not be able to afford to operate, these communities will be losing their gathering places and the services that these churches have been providing. Premier, what are Ontario's rural families to do now that your taxation is taking away their ability to deliver programming and support from their rural churches?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** My understanding is that we're merely delivering on a Tory government regulation which they wholeheartedly supported when they sat in government. Perhaps in his supplementary the member could indicate why it was such a good idea on this side, but now that he's on that side, apparently he's not in favour of it.

**Mr Hardeman:** I appreciate the answer, Premier, and I will tell you just that. How it's being implemented is in fact why it is hurting our churches.

Premier, I have an ultraviolet system on the well, my water system, at home. That system is considered great protection for me and my family and for the safety of the guests who come to my home. The church down the road

used the same UV system to ensure safe drinking water for the people who use their facility. The difference is that because of your regulation, those places need to pay engineers from \$15,000 to \$20,000 to tell them that what they are doing is the right thing to do—money they don't have and that is well beyond their ability to raise.

Premier, will you support our rural communities and recall this regulation until you've put a plan in place that will accommodate recommendation 84 of the O'Connor report, which says you will provide funding if the costs are too high for these systems to endure?

**Hon Mr McGuinty:** I know the Minister of the Environment has more detail.

**Hon Leona Dombrowsky (Minister of the Environment):** I think it would have been appropriate if the member opposite had made those very points before regulation 170 had been passed by the previous government. We have inherited a flawed regulation. There is no question that when I met with over 40 municipal representatives at ROMA, it was a common, recurring theme that regulation 170 was presenting significant problems for them across rural Ontario, particularly for church groups and other charitable organizations that access small community facilities. I have committed to have staff look at regulation 170. They are going to bring me recommendations to improve the regulation so that people across Ontario will be able to maintain these facilities.

## RENT BANK PROGRAMS

**Ms Jennifer F. Mossop (Stoney Creek):** My question is for the Minister of Municipal Affairs and Housing. Last week we heard a question with regard to the new provincial rent bank, the \$10 million in assistance for tenants who are at risk of losing their homes due to unforeseen circumstances. Minister, could you please clarify to this House and to my constituents how the rent bank is going to work?

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** First of all, I'd like to thank the member for the question and just indicate to her and other members of the House that the \$10-million rent bank this government put in place is good news for tenants who are at risk, either through an emergency situation, ill health or losing their jobs, so that they can get up to two months' rent to help them during those tough times.

We are living up to a campaign promise. Not only are we helping the tenants involved who will benefit from this program but, more than that, we are also helping our municipalities to defray the otherwise more expensive social service costs they would have to implement in the event that these tenants were actually evicted. So this is a good-news story for everybody: for our municipalities and for the tenants who may need this program.

**Ms Mossop:** It actually has been recognized as a good-news story, as the minister mentioned. There was a headline in the Ottawa Sun, "Rent Bank Plan is Right on

the Money," and there were others in the Spec. But there is still some confusion for the municipalities as to exactly how they are going to be able to administer this. Can you explain that to them?

**Hon Mr Gerretsen:** I'd be more than pleased to answer that to this member. She has a very good question there.

First of all, municipalities can charge up to 10% of the money that's actually been allocated to them for administrative costs. Basically, what we are trying to do is assist those municipalities that already have rent banks. I might say that 82% of the people of Ontario are already covered by a service provider that in effect has a rent bank in place. We will simply be adding this money to the existing rent banks, so whatever the rules and regulations are in those municipalities will in effect be applicable to the rent bank situation. This can either be delivered through the service providers themselves or through some agency. Once again, it's good news for those tenants who need help in an emergency situation. We look forward to covering 100% of the province as soon as the other 18% who aren't currently covered come on stream.

#### TORONTO POLICE SERVICE

**Ms Marilyn Churley (Toronto-Danforth):** I have a question to the Premier. Today, four Toronto officers were charged with 14 offences under the Police Services Act. The charges are connected to money laundering and car theft. There are yet more allegations around protection of drug depots and shaking down of business owners by officers of 52 division who also are now being investigated. Months ago, there were charges of extortion, perjury, theft and assault against members of the drug squad.

As Mayor Miller said, Torontonians are proud of their police services, but this series of incidents and allegations reveals a very disturbing pattern, and we're very worried about it. The public needs to be able to trust its police force, and our good police officers need to be able to trust each other. I'm asking you today, Premier, will you call a public inquiry into these incidents so that confidence can be restored?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** The minister will speak to this.

**Hon Monte Kwitter (Minister of Community Safety and Correctional Services):** The member should know, and I'm sure she does, that all police forces in Ontario are covered by the Police Services Act. The Police Services Act provides for police services boards and gives responsibilities to the chiefs to administer their police forces, with the ability and authority to discipline from a human resources point of view, criminal charges, all of those things. At the present time it seems to me, given the announcement today by the chief of police of Toronto, that he is exercising his authority and his responsibility by announcing that those charges are being made.

The other thing that I think you should know, when you talk about this "trend" and this "disturbing situation," is that we are talking about very, very few officers—very few—and we're talking about a police force that has 7,000 members. Do the math on it and figure out what we're talking about. I have the utmost confidence in the police services board and in the police chief and in what they're doing, and they're doing what they're supposed to do: exercising their authority.

**The Speaker (Hon Alvin Curling):** Supplementary?

**Mr Michael Prue (Beaches-East York):** Minister, I have equal confidence with you in the police chief and in the 7,000 officers of this great city, but I think the people of Toronto want to know that the province is—that you as the minister are—prepared to investigate if investigation is called for. They want to know from you, as the minister, if broader changes are needed to prevent this kind of misconduct in the future. They know that the province has the tools and the ability to make it happen. What they want to hear from you, and they want to hear it from you today, is, will you take the responsibility to call a public inquiry?

**Hon Mr Kwitter:** The member is not quite correct in what he is saying. I do not have the authority to go in and investigate a police force. If the chief feels—and he's done it in the past, and there's ample history in other municipalities in Ontario—that he is being compromised to the point where it would be advisable for him to bring in another police force to do that investigation, whether it be another municipal police force, the OPP or the RCMP, he has the authority to do that. Obviously, he doesn't feel that that stage has been reached. Today he announced that charges are being laid. I think the people of Ontario and the people of Toronto should have confidence that the problem has been identified and is being addressed.

1500

#### HEALTH CARE

**Ms Laurie Scott (Haliburton-Victoria-Brock):** My question today is to the Minister of Health, and it involves the many mixed messages this government is sending out with regard to health care costs. This weekend's mixed message was delivered by your Premier, who said on Friday in his speech to the RNAO that he intended to reduce the growth curve in health care spending and that your budget will speak to that. Can you inform the House today, and all Ontarians, just how you intend to accomplish this goal in your budget?

**Hon George Smitherman (Minister of Health and Long-Term Care):** We have been very clear, but I'm happy to say it one more time for the member. It's a message that I have been communicating for many months, in particular to Ontario's hospitals, which is to say that, with respect, the 10% increases for the last five years in the hospital budget—which is, at \$11 billion, the largest line item in the government's budget—are not increases that are sustainable.

In exchange, what we've said to Ontario's hospitals is that more modest rates of growth will be necessary. But

the other part of the formula that we're very committed to is making enhancements in those complementary health care services at the community level, such as meaningful primary care reform, home care that works, long-term care facilities that give us confidence for our loved ones who live there.

It's true, our government was elected. Over the course of its mandate we fully intend to deliver on the commitment that we made, which is to enhance the quality—

**The Speaker (Hon Alvin Curling):** Thank you. Supplementary?

**Ms Scott:** I thank the minister for stressing more investment in community health care; that is needed. But many of my constituents are afraid your government's going to reduce spending by charging user fees for drugs to seniors, shortchanging long-term-care facilities, curbing hospital budgets and underpaying doctors. Which of these methods do you feel is the most appropriate way to, as your Premier put it, reduce the growth curve in health care spending?

**Hon Mr Smitherman:** The honourable member, in her question, raises a number of issues, but the assurance I can provide to her is that this party and this government will continue to make investments in health care, to build on a system which we think is a high-quality system. We've made a commitment to the people of the province of Ontario to enhance it, and I mentioned in my earlier response some of those areas where we intend to be able to make targeted investments.

I think the message that we send from this place today to the people of the province of Ontario is that we intend, as a government, to build on health care, to enhance the quality of the health care system that has been built in this province to date. But in order to make that sustainable, we ask in particular that our hospitals, which have been experiencing double-digit increases for the last five years, work with us to restrain that growth in such a fashion that we can make those investments in complementary community-based services. Those have the effect over time of taking some of the pressure off our hospitals, which have been asked to do too much by some of the failures at the community-based level.

## TOURISM

**Mr Lorenzo Berardinetti (Scarborough Southwest):** My question is for the Minister of Tourism and Recreation. Tourism in Toronto plummeted last year after the outbreak of SARS. Hotels experienced a 50% reduction in occupancy. Restaurants were doing 20% to 30% less business. Theatre attendance was dwindling. More than 800 bus tours were cancelled, and major conventions were held elsewhere outside the province. Minister, as we head into warmer weather and the peak of tourist season, what is your ministry doing to ensure Toronto is open for business to tourists around the world?

**Hon James J. Bradley (Minister of Tourism and Recreation):** That's an excellent question, I must say to the member. The government is committed, through a program he may be familiar with—the tourism recovery

program—to revitalizing Toronto and Ontario to what we'd call first-class destinations. My ministry has made a number of investments recently in the marketing of the city of Toronto to potential visitors from around the world: \$3.5 million in advertising and marketing for Toronto and Niagara as tourist destinations; playing a partnership in the city of Toronto's branding exercise, from which a new image for the city will emerge; and our continued investment in such events as the Beaches jazz festival.

I'm glad the member's question touched on the area of conventions. Last week I was speaking with Meeting Professionals International, which entices conventions to Toronto. This government recognizes the importance of the convention industry. That is why the Ministry of Tourism and Recreation allocated \$2.6 million to Tourism Toronto's convention development—an additional \$250,000. All kinds of conventions are coming to Toronto as a result—

**Mr Berardinetti:** I also want to point out that not only did SARS affect tourism in Toronto, but as a gateway to Ontario, it affected tourism across the province. As we all know, our great province houses many diverse and unique attractions. What initiatives are in place by your ministry to ensure that visitors this summer will continue to travel across the province, whether it is enjoying the Stratford Film Festival, going fishing or kayaking in the Kawarthas, or experiencing the blend of French and English culture in our nation's capital?

**Hon Mr Bradley:** I found some statistics on this, in fact. Last Wednesday, CFPL News did a piece on a new initiative to revitalize Chatham-Kent's tourism industry. The city is investing a quarter of a million dollars in a new campaign aimed at day trippers, extolling the virtues and events of Chatham-Kent. More than half the funding comes from the Ministry of Tourism and Recreation.

Last Thursday in Sault Ste Marie, at the second annual tourism awards dinner, my parliamentary assistant, Tim Peterson, announced marketing funding of \$150,000 for the Soo.

St Jacobs Country, near Kitchener-Waterloo, will be receiving \$150,000 in marketing support to promote the area and its attractions.

Finally, the Ministry of Tourism and Recreation will continue to produce Ontario's experience guides in both official languages to serve as a consumer guide in trip planning for tourists, informing all potential visitors, and reminding those who have visited Ontario before, about a wide variety of attractions and activities available to them in the province.

If the opposition has any further questions, I'd be pleased to provide more information.

## VOLUNTEER FIREFIGHTERS

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Minister of Community Safety and Correctional Services. Recently, as you know, the two-hatter issue has been a very important issue in rural Ontario, as has the loss of volunteer firefighters. As we

know, it affects community safety. Minister, can you inform this House when your new mediation-before-legislation process will begin and, more importantly, can you inform us who will conduct the mediation?

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** The member has asked this question several times. If this issue could be easily resolved, that party, when they were in government, would have resolved it. They even had one of their members bring in a private member's bill, and their own party defeated it.

What we have is a situation where there's obviously a problem. I've already been told that the Adams report is not acceptable, that they are not prepared to sit down and do a mediation. My challenge is to come up with a structured mediation so that going into this mediation they will know what the parameters are. We are working on that. We are finalizing that. Once we get that finalized, we will appoint a mediator to do it, and hopefully we will come to a solution that will do what my major challenge and my major goal is: to provide safety for all the citizens of Ontario.

**Mr Dunlop:** Thank you very much for your response. When Minister Runciman was awaiting the recommendations of the report by Justice George Adams, a moratorium was in place to avoid the further loss of any of the professional firefighters on the volunteer fire services, a moratorium that was lifted very shortly after your election. Minister, will you endeavour to reinstate the moratorium until the outcome of the mediation is complete?

**Hon Mr Kwinter:** There are ongoing discussions with all the parties. The fire marshal is absolutely key to this whole exercise, because it is his responsibility to make sure the people of Ontario have adequate fire protection. I am in touch with him on a regular basis, he is in touch with the parties and, as I say, we will get this resolved.

#### CLASS SIZE

**Mr Dave Levac (Brant):** My question is for the Minister of Education. As you know, the Premier made a very important and, I believe, historic announcement last week about education. Inside that announcement, he referred to the cap on the class size for JK to grade 3 at 20 starting this fall.

In my conversations with educational leaders in my riding, they support the direction, they support the concept and they understand why we're doing so, but they do have some concerns and issues. One of them is, what are the criteria for determining what schools will see this cap first, and what can my constituents expect to see as a reduction in the class sizes throughout the province?

1510

**Hon Gerard Kennedy (Minister of Education):** There's no question that there is interest and enthusiasm in the education community and, I think, fairly spoken, in

parents and others in what we can start to do right away for students in this province. What we have said is that we're very clear on the end point: We are going to have 20 kids in a classroom from JK to 3. But we're working with our partners, which are the school boards, in terms of making sure that this isn't—we've learned very well the dangers of one-size-fits-all education policy. What we've said to the boards is we want to see where the students are most overcrowded, where they're having the most academic challenges, because that's what this is about: helping those children do well.

Other than that, we're going to work with the boards. They come up with the plans. They are going to be able to submit to fit this intention, so instead of making all the children of this province fit the policies coming from the provincial government, the policies of the provincial government will, for once, fit the children of this province.

**Mr Levac:** Thank you very much, Minister. I understand and I know they're looking forward to working with you to achieve that goal and they understand the realities of the day. So I'm looking forward to that.

The Premier has also made reference to targeting goals of having 75% of our 12-year-olds meet the provincial standard in literacy and numeracy by 2008. What resources will the government provide this very ambitious target? The same educational leaders are asking the tough questions about how you resource something that's as difficult to achieve as you've set out in this target.

**Hon Mr Kennedy:** Part of our outlook is certainly to have the smaller class sizes, but not just class sizes. There's not magic in the size of the class. The magic is in giving the children in those classes individualized attention; so supporting teacher training.

We're going to have something that has not been tried at all in this jurisdiction, and it's unfortunate, because we've had years and years of evidence, millions of dollars spent on tests showing us that kids are struggling. So we're going to have, for the first time, two lead teachers—one in literacy, one in numeracy—specially trained with time available to lead the effort in each elementary school—over 16,000 specially trained teachers.

**Mr John R. Baird (Nepean-Carleton):** Bureaucracy.

**Hon Mr Kennedy:** Not bureaucracy, as one of the member opposite tries to suggest, but in fact in the schools, helping to teach kids, giving them the advantages they were denied by the previous government. This is something we know how to do. It's been done; unfortunately, only in some communities, in some schools. The difference under a McGuinty government that is it will be made available to every elementary student in this province, and every one of them will be able to access their future through this strategy.

#### ENBRIDGE GAS

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Energy. The Supreme Court of Canada has unanimously ruled that Enbridge Gas charged criminal interest rates of its gas customers in

Ontario. It ordered Enbridge to pay back close to \$100 million because, as Mr Justice Frank Iacobucci said, criminals "should not be permitted to keep the proceeds of their crime."

But imagine the surprise of Ontario natural gas consumers when they learned that Enbridge intends to ask the Ontario Energy Board to allow them to pass this \$100-million cost on to all the gas consumers in Ontario. In other words, Enbridge wants the gas consumers to pay for its criminal conduct.

Will you pass a regulation or a policy directive this week telling the Ontario Energy Board that the shareholders of Enbridge should pay for the criminal conduct, not the gas consumers of Ontario?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** The member had a chance to review both the Peel court decision as well as the Supreme Court decision, and the member quotes accurately from those decisions. The Ontario Energy Board has a legislated mandate to protect consumers, and I expect the Ontario Energy Board to fulfill its mandate.

**Mr Hampton:** We've seen before where the energy board needs some directive from the Minister of Energy. When you were in opposition, you were quite prepared to give that direction.

For example, only a year ago you demanded that the Ernie Eves government issue a policy directive under section 27(1) of the Ontario Energy Board act disallowing retroactive rate hikes. That was your position then.

Minister, that's exactly what's going on here. The company has been found criminally in breach of the law. It had to pay a \$100 million. Now they want to go to the Ontario Energy Board and say, "Will you allow us a rate increase to cover the \$100 million in criminal conduct?" That's a retroactive rate increase. Your position a year ago was, "Pass a policy directive." Can you tell us why you wouldn't pass a policy directive now, since it was so appropriate a year ago?

**Hon Mr Duncan:** The member opposite forgot an important part of that debate. First of all, after NDP Finance Minister Floyd Laughren approved the retroactive Union Gas hike, we asked first for the Ontario Energy Board to make a decision; that is, to fulfill its decision. The Ontario Energy Board, under the leadership of Floyd Laughren, refused to do that. I was astounded at the member's silence at that time on that issue and couldn't understand why he would be so silent at that time on that particular issue.

Let me re-emphasize for the member opposite and for the Ontario Energy Board: The Ontario Energy Board has a legislated mandate from this assembly to protect consumers. The minister expects them to fulfill their mandate, unlike Mr Laughren, the NDP finance minister in the Union Gas situation.

#### WATER QUALITY

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** My question today is for the Minister of Tourism and

Recreation—it's a busy day for the minister. The last time I asked you a question, it was with regard to the punishing McGuinty McMeal tax. I recall that a few days after, they got rid of that tax. I'm hoping that you will use your seniority and influence in this government to go to bat for the tourism industry in rural Ontario once again.

My colleague has talked about churches and the tremendous hardship that regulation 170/03 is going to have on them and community halls. I also want to talk about campgrounds and tent and trailer parks. Some of these businesses are threatened with extinction because of these regulations. Will you as a minister go to your cabinet table and stand up for the tourism industry in this province and fight for them with regard to implementation of rule 170/03 so that our tourism industry is not injured irreparably?

**Hon James J. Bradley (Minister of Tourism and Recreation):** As I said to my friend for Renfrew-Nipissing-Pembroke last week—he was speculating about a potential tax out there. I said that when I was in opposition I used to speculate about those taxes as well. I knew that the Treasurer of the day would never tell me what was going to be in the budget. You don't fear-monger. Others may; you don't fear-monger, but the concerns you expressed were unnecessary concerns because that's not there.

You've addressed another issue that is, I think, of some importance, and I will certainly be discussing that with all of my colleagues to see how we can best deal with this issue. It is a regulation, as he will know, that was brought in by, I think, the Honourable Chris Stockwell or the Honourable Elizabeth Witmer. I know that they would have given consideration to the economic ramifications of these regulations before they brought them in. They wouldn't possibly have simply brought them in, left them on the table and not had those considerations. So I'm prepared to explore that with my colleagues to see what can be done.

**Mr Yakabuski:** The minister will well know that regulations and legislation are brought in, but the true effects, the far-reaching ramifications of that legislation, are not really felt until implementation comes along. These regulations are now being implemented on your government's watch. You have the power to make changes. Recommendation 84 of the O'Connor report says that we will assist those people who don't have the funds to commit to these regulations. Will you see that recommendation 84 is, in fact, adhered to by this Ministry of the Environment?

**Hon Mr Bradley:** I would agree with the member that this government has to undo a lot of things that the previous government did. He knows I take his representations seriously today, but I look at the front benches—and it's not your fault, because you weren't a member at that time—and wonder who didn't think of the fact that there would be a cost assigned to this. I thought a former Treasurer, for instance my friend Mr Flaherty—someone else would have made provision in the budgetary plans, well into the future, to consider this particular imposition,

which of course from an environmental point of view is absolutely essential but also has a cost to go with it.

I know that the Premier has said that all the recommendations in regard to the O'Connor commission are going to be implemented. They are essential to implement. We'll try to do them as fairly as possible. I'll share your thoughts with my colleagues.

**1520**

### BEEF PRODUCERS

**Mr John Wilkinson (Perth-Middlesex):** My question is for the Minister of Agriculture and Food. As you are aware, I'm proud to represent the most productive agricultural riding in Ontario. Beef is one of the largest animal commodity groups in my riding.

Since the US closed the border to Canadian beef and other ruminants 11 months ago, the pressure on cattle and dairy farmers in my riding have increased daily. They worry about being able to sustain their farms and their livelihood. They worry about being able to not only feed their herds but their families as well. For the farmers of Perth-Middlesex, the border must be reopened. What have you done to address the border issue?

**Hon Steve Peters (Minister of Agriculture and Food):** We've been working very hard. We've been dealing with state legislators; we attended a conference in January dealing with state legislators. We've been to Washington. We've talked to agriculture commissioners from across the United States. We've met with the USDA. As well, we've taken part in the tri-national NAFTA accord, trying to make sure that the message got through to both the United States and Mexico that this is an issue that needs to be based on science. We cannot allow the emotions of politics to get in the way.

We've been very active in trying to move this issue forward. We saw a good first step last week by the United States, but truly the only thing that is going to help this industry, turn it around and set it in the right direction for the future is the reopening of the full border and the resumption of the trade of live cattle. That's what we're going to continue to advocate for.

**Mr Wilkinson:** I know that the farmers in my riding are thankful for all your efforts on an issue that can be construed as being primarily federal. I recently read a report that stated that the Canadian cattle industry is overly dependent on cross-border trade. In Perth-Middlesex, the cattle industry currently relies on exports. What are you doing to address this issue?

**Hon Mr Peters:** First and foremost, we've been working very closely with the cattle industry. I think it's important that the Ministry of Agriculture and Food recognize the need to work together. We have done that. We've worked very closely with the Ontario Cattlemen's Association, the Dairy Farmers of Ontario, the Canadian Livestock Genetics Association and, quite honestly, other ruminants. I think a lot of people focus in on this as a beef issue, but many other sectors in the agricultural economy have been affected by this: deer, goats and

sheep, to name a few. We need to continue to work with them.

As well, we've been investing. Right now we're in the process of trying to develop some new slaughter capacity in this province. We have an extreme shortage of slaughter capacity. The mature animal program is going to help ensure that we have a new program in place. The best thing that citizens can do is make that conscious decision in the grocery store: Eat beef; choose a Canadian product.

### DEVELOPMENTALLY DISABLED

**Mr John R. Baird (Nepean-Carleton):** My question is to the Premier. Two years ago in the provincial budget there was a five-year commitment made to help Ontarians with developmental disabilities. It was a program designed to increase funding annually by \$197 million. It's something that's incredibly important. Health care and education may top the agenda for public priorities, but these people depend on you and your government, and on all of us in this House, to speak up for them.

Premier, would you stand if your place and confirm to the people of Ontario and to those advocates, those associations for community living across the province, that you'll maintain these funding increases that were to be phased in over five years. Would you do that?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I know the minister would like to speak to this.

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I'm very pleased to answer this question. Let me tell you the difference between your government, when you were the government, and this government. We just announced \$24 million for places to live in our communities, and those places have already started being built. As a matter of fact, the first ones should be ready by June this year.

Here's the big difference: you guys were great at making announcements; this government is good at action.

**The Speaker (Hon Alvin Curling):** That's the end of oral questions.

### PETITIONS

#### TILLSONBURG DISTRICT MEMORIAL HOSPITAL

**Mr Ernie Hardeman (Oxford):** I have a petition here signed by a great number—well in excess of 2,000—of my constituents.

“To the Legislative Assembly of Ontario”—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. Let's just wait until the members are settled. Those who are having

a conversation, could you have it outside, please. Let me proceed with petitions. Members are anxious, especially the member from Oxford, to get on with petitions.

**Mr Hardeman:** My petition is to the Legislative Assembly of Ontario:

"Whereas the Tillsonburg District Memorial Hospital has asked for ministerial consent to make capital changes to its facility to accommodate the placement of a satellite dialysis unit; and

"Whereas the Ministry of Health and Long-Term Care has already given approval for the unit and committed operational dollars to it; and

"Whereas the community has already raised the funds for the equipment needed;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Health and Long-Term Care give his final approval of the capital request change from the Tillsonburg District Memorial Hospital immediately, so those who are in need of these life-sustaining dialysis services can receive them locally, thereby enjoying a better quality of life without further delay."

I sign this petition, as I totally agree with it.

#### SOCIAL ASSISTANCE

**Mr Jeff Leal (Peterborough):** I have a petition.

"To the Honourable the Legislative Assembly of the province of Ontario, in Legislature assembled:

"The petition of the undersigned states:

"That Ontario Works was slashed by 21.6% in 1995, and with the increases to the cost of living, that cut is worth nearly 40% today;

"That Ontario disability support program benefits have been frozen since 1993; and because current social assistance rates do not allow recipients to meet their cost of living;

"That the people of Ontario deserve an adequate standard of living and are guaranteed such by the International Covenant on Economic, Social and Cultural Rights;

"That the jury at the inquest into the death of Kimberly Rogers recommended that social assistance rates be reviewed so that they reflect the actual costs of living;

"Therefore, your petitioners respectfully request that the Honourable House urge the Ontario government to immediately increase social assistance rates to reflect the true cost of living. This means shelter allowances that are based on the average local rents as calculated by the Canada Mortgage and Housing Corp, a basic needs allowance that is based on the nutritional food baskets prepared by local health units as well as the calculations for the costs of household operation, household furnishings and equipment, clothing, transportation and health care as reported in Statistics Canada's Average Household Expenditures."

#### TAXATION

**Mr Peter Kormos (Niagara Centre):** I've got a petition addressed to the Legislative Assembly of Ontario:

"Whereas every day, 1.5 million Ontarians, including seniors, health care workers and students, purchase a basic meal that costs less than \$4; and

"Whereas a new 8% tax on such meals will disadvantage low-income Ontarians; and

"Whereas adding a tax for the first time on a glass of milk, a salad, a bowl of soup or a cup of coffee will affect a total of 1.5 million Ontarians each and every day in restaurants and cafeterias across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not"—repeat, do not—"impose a new 8% tax on basic meals under \$4."

It's another collection of these I've received from folks in the St Catharines area, with thousands of signatures. I've affixed my signature as well, and I'm sending the page Jen to the table with this petition.

1530

#### SEX OFFENDERS

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm pleased to present this petition to the Legislature of Ontario, and it reads as follows:

"Whereas it is the right of every Canadian citizen to have the knowledge and the means to protect themselves and their children; and

"Whereas each act of a sexual offence against a child affects the quality of life for our nation's children, their families and the general public; and

"Whereas incidences of child exploitation, child pornography, child prostitution and other sexual offences against children in Canada are on the rise; and

"Whereas those who commit sexual offences against children are at high risk to reoffend;

"We, the undersigned, petition the Legislative Assembly of Ontario to press the federal government to pass new legislation that will: disallow parole of a sex offender who has refused treatment; require all released offenders to maintain treatment and be registered with their local police department within 24 hours of moving into a community and bi-yearly after that; ensure all schools, daycare centres, community centres and other places where children amass are notified when an offender is released into their community; place the names of all persons convicted of a sexual offence against a child on a national DNA data bank, available to all law enforcement agencies across the country; enforce stiffer sentences upon conviction, with a minimum of three years and a maximum of 10 years for a first offence, a mandatory 10 years and a maximum of 20 years for second offences and a minimum 25 years to a maximum life sentence thereafter."

I support the petition and affix my signature.

### ONTARIO DRUG BENEFIT PROGRAM

**Mr Tim Hudak (Erie-Lincoln):** I am pleased to present a petition on behalf of seniors from Fort Erie, including Janet Dwyer and Art Rankin. It reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas, during the election campaign, the Dalton McGuinty Liberals said they would improve the Ontario drug benefit program but now are considering delisting drugs and imposing higher user fees; and

“Whereas the Liberal government has increased costs to seniors by taking away the seniors’ property tax rebate, and increased the price of hydro;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors’ drug fees.”

In support, I affix my signature.

### FIRE PROTECTION SERVICES

**Mr Norm Miller (Parry Sound-Muskoka):** I have a petition from my constituents in Parry Sound-Muskoka and I shall read it.

“To the Legislative Assembly of Ontario:

“Whereas municipalities are solely responsible for funding fire services; and

“Whereas the previous government committed \$40 million to help small and rural communities in the purchase of new emergency firefighting equipment;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the province of Ontario proceed with a program to support municipal fire services for the purchase of life-saving equipment, and that the province develop a rural response strategy in consultation with municipal fire services.”

I support this petition and affix my signature.

### SOCIAL ASSISTANCE

**Mr Jeff Leal (Peterborough):** “To the Honourable the Legislative Assembly of the province of Ontario, in Legislature assembled:

“The petition of the undersigned states:

“That Ontario Works was slashed by 21.6% in 1995, and with the increases to the cost of living, that cut is worth nearly 40% today;

“That Ontario disability support program benefits have been frozen since 1993; and because current social assistance rates do not allow recipients to meet their cost of living;

“That the people of Ontario deserve an adequate standard of living and are guaranteed such by the International Covenant on Economic, Social and Cultural Rights;

“That the jury at the inquest into the death of Kimberly Rogers recommended that social assistance rates be reviewed so that they reflect the actual costs of living;

“Therefore, your petitioners respectfully request that the Honourable House urge the Ontario government to immediately increase social assistance rates to reflect the true cost of living. This means shelter allowances that are based on the average local rents as calculated by the Canada Mortgage and Housing Corp, a basic needs allowance that is based on the nutritional food baskets prepared by local health units as well as the calculations for the costs of household operation, household furnishings and equipment, clothing, transportation and health care as reported in Statistics Canada’s Average Household Expenditures.”

I affix my signature to the top of it.

### ONTARIO DRUG BENEFIT PROGRAM

**Mr Tim Hudak (Erie-Lincoln):** I have a petition signed by folks from York, Ontario, like the Ballantynes, and the Greenwoods of Wellandport, that reads as follows:

“To the Legislative Assembly of Ontario:

“Whereas, during the election campaign, the Dalton McGuinty Liberals said they would improve the Ontario drug benefit program but now are considering delisting drugs and imposing higher user fees; and

“Whereas the Liberal government has increased costs to seniors by taking away the seniors’ property tax rebate and increased the price of hydro;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors’ drug fees.”

In support, I affix my signature.

### HIGHWAY 407

**Mr John O’Toole (Durham):** I’m pleased to present a petition on behalf of one my constituents, Mr Bert Werry, as follows:

“To the Legislative Assembly of Ontario:

“Whereas the timely and efficient movement of people and products is critical to the success of the Ontario economy;

“Whereas the province of Ontario is meeting the challenge of traffic congestion in the greater Toronto area by improvements to our highway network and by improved public transportation;

“Whereas the construction of Highway 407 eastward into Durham region, across Clarington to highways 35 and 115 would improve the flow of traffic in Durham region and throughout the GTA;

“Whereas citizens and municipalities of Durham region have faced uncertainty over the final alignment of

the proposed 407 highway for many years and are entitled to a timely resolution of this matter;

"Whereas CAAC, the Clarington agricultural advisory committee, has expressed concerns and advocates for final construction completion of Highway 407 through Clarington, connecting to 35 and 115;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario take steps to fast-track the extension of Highway 407 eastward into the regional municipality of Durham and that this commitment include the extension of Highway 407 through Clarington to connect with highways 35 and 115, while ensuring that all the necessary environmental assessments and public consultations are followed."

I am pleased to sign this in support of my constituents in the riding of Durham.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Gerry Martiniuk (Cambridge):** "To the Legislative Assembly of Ontario:

"Whereas the Liberal government has said in their election platform that they were committed to improving the Ontario drug benefit program for seniors and now are considering delisting drugs and imposing user fees on seniors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To halt the consideration of imposing an income test, delisting drugs for coverage under the Ontario drug benefit plan or putting in place user fees for seniors and to maintain the present Ontario drug benefit plan for seniors to cover medications."

**Mr Joseph N. Tascona (Barrie-Simcoe-Brampton):** I have a petition I wish to present to the Legislative Assembly of Ontario which reads as follows:

"Whereas the Liberal government has said in their election platform that they were committed to improving the Ontario drug benefit program for seniors and now are considering delisting drugs and imposing user fees on seniors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To halt the consideration of imposing an income test, delisting drugs for coverage under the Ontario drug benefit plan or putting in place user fees for seniors and to maintain the present Ontario drug benefit plan for seniors to cover medications."

I support the petition and affix my signature.

#### ONTARIO BUDGET

**Mr Jeff Leal (Peterborough):** "To the Legislative Assembly of Ontario:

"Whereas the parliamentary tradition in Ontario of presenting annual budgets in the House of the Legislative Assembly has existed for decades; and

"Whereas the previous government in 2003 showed disrespect for our public institutions and the people of Ontario by presenting a budget inside a private, for-profit auto parts factory; and

"Whereas the previous Speaker of the Legislative Assembly condemned the actions of his own party's government;

"We, the undersigned, petition the Legislative Assembly of Ontario to uphold parliamentary tradition and hold a public presentation and debate of the 2004 budget, and every budget thereafter, by our publicly elected members of Parliament inside the legislative chamber."

I'll affix my signature to this.

#### HIGHWAY 518

**Mr Norm Miller (Parry Sound-Muskoka):** I have a petition from my constituents in Parry Sound-Muskoka, and I shall read it. It says:

"To the Legislative Assembly of Ontario:

"Whereas Highway 518 between Highway 69 and Highway 11 serves the residents of the communities of Haines Lake, Orrville, Bear Lake, Whitehall and Sprucedale; and

"Whereas Highway 518 is in a deplorable condition; and

"Whereas the Ministry of Transportation has previously assured local residents of its intention to upgrade and improve Highway 518;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We request that the Ministry of Transportation immediately proceed with the reconstruction of Highway 518 between Highway 69 and Highway 11."

I support this petition and sign it.

#### 1540

#### SEAT BELTS

**Mr Mario Sergio (York West):** I have several hundreds of petitions here addressed to the Ontario Legislative Assembly:

"Whereas most school buses and almost all tour buses operating within the province of Ontario are not equipped with seatbelts for the safety of the passengers; and

"Whereas this situation poses a real danger to all said passengers; and

"Whereas, as the result of an accident which occurred on July 29, 2003, on Highway 401 in the vicinity of the Pearson International Airport, just west of the municipality of metropolitan Toronto, one woman died of her injuries and 41 other passengers of a tour bus, all senior citizens, were seriously injured; and

"Whereas we value the lives of all passengers on said vehicles; and

"Whereas the fatality and some of the other injuries to the rest of the passengers might not have occurred if the said vehicle had been equipped with seat belts;

"We, the undersigned, petition the province of Ontario Legislative Assembly to enact legislation requiring it to be mandatory for all school buses, no matter what size, and all tour buses, no matter what size, operating in the province of Ontario to be equipped with safety seat belts."

Speaker, I concur and I will affix my signature to it.

## ORDERS OF THE DAY

### GOVERNMENT ADVERTISING ACT, 2003

### LOI DE 2003 SUR LA PUBLICITÉ GOUVERNEMENTALE

Mr Phillips moved second reading of the following bill:

Bill 25, An Act respecting government advertising / Projet de loi 25, Loi concernant la publicité gouvernementale.

**The Deputy Speaker (Mr Bruce Crozier):** Mr Phillips, you have leadoff of an hour.

**Hon Gerry Phillips (Chair of the Management Board of Cabinet):** Thank you, Mr Speaker. I should inform the House that I'll be sharing my time with the members for Prince Edward-Hastings, Mississauga West and Pickering-Ajax-Uxbridge.

It's an honour to have this opportunity to begin the debate on the proposed Government Advertising Act. I had the pleasure of introducing this important piece of legislation in December 2003 as part of our pledge to the people of Ontario to deliver positive change. We believe this groundbreaking legislation is the first of its kind in the world. There is no other legislation like this anywhere else in the world that we've been able to find. So I'm pleased and I think all of the Legislature should recognize that we are really providing leadership in this area to ban partisan government advertising.

The Government Advertising Act is a central part of our government's democratic renewal initiative. The bill helps us, among other things, to fulfill a pledge we made to help restore public faith in our democratic institutions and to strengthen our democracy. This is one of our five major goals that we've laid out for the people of Ontario. Making government more accountable, transparent and fiscally responsible are key priorities of our government.

Partisan government advertising is the expensive use of taxpayers' dollars to purchase television, radio or print media to promote politicians and political parties instead of using those hard-earned dollars to inform the public. Under the previous government, it's clear that literally millions of dollars of hard-earned taxpayers' money was used for partisan purposes. If this bill is passed, this waste will stop. Taxpayers' money will be spent more responsibly.

Obviously, the money saved, every single dollar, will be spent on things that matter to Ontarians: the quality of our health care system, our classrooms, our environment and our communities. It won't be spent glorifying politicians and party platforms, nor will it be spent criticizing those who do not share the government's point of view. The days of finding a glossy, partisan booklet in your mailbox will be gone for good.

I would say to the public that there was \$10 million of taxpayers' money spent every single year for the last several years on those glossy brochures that we received in our homes. That's the day—the day when this will be gone for good—that I'm personally looking forward to. It's been a long time coming.

Allow me now to provide some of the details of this groundbreaking legislation for the Legislature. First, the Government Advertising Act would, if passed, require the office of the Provincial Auditor to pre-screen all government advertising. What it means is that any government advertising that's proposed by an Ontario government ministry for television, radio, print, billboards or mass mailings first must be brought forward to the Provincial Auditor for review. This would include print materials that a ministry proposes to pay to have delivered to Ontario households through bulk mail. The Provincial Auditor or the Advertising Commissioner—and the legislation provides the authority for the Provincial Auditor, if he or she so chooses, to appoint an Advertising Commissioner to perform this role for the Provincial Auditor. The Advertising Commissioner appointed by the auditor would have a specific amount of time in which to review the advertising and determine whether it's appropriate or not. The auditor will review the ad to ensure that it meets the standards set out in the act. I'd like to just briefly review those standards for the Legislature.

The first requirement is that the ad must not be partisan. The auditor would review it against that criteria. The ad must not, as a primary objective, foster a positive impression of the governing party or a negative impression of a person or entity who is critical of the government. In other words, the primary objective of this advertising can't be to promote the party in power or to attack any organization that may have a view contrary to the government.

Another requirement of the advertising is that there should be a reasonable means to achieve one or more of four purposes, and we lay out in the bill four purposes that the advertising must meet. One is to inform the public about government policies, programs or services. The second one is to inform the public of their rights and responsibilities under the law. The third is to encourage or discourage specific social behaviour in the public interest. The fourth is to promote Ontario, or any part of Ontario, as a good place to live, work, invest, study or visit. Those are the four criteria against which it's evaluated.

Let me give you an example of how it would work. Imagine that a ministry—probably the Ministry of

Health—develops a television ad to prevent teenage smoking. Before this ad could be aired, it goes to the Provincial Auditor for review. The auditor would review the ad in its entirety, using the standards I spoke of a moment ago. An ad to try and prevent teenage smoking would meet the third objective that I talked about: to encourage or discourage specific social behaviour in the public interest. So it would meet the standards spelled out in the ad. And as long as it was not partisan, as long as it did not include the name, voice or image of a member of the executive council, as long as it didn't have as a primary objective to foster a positive impression of the governing party and as long as it included a statement that the item is paid for by the government of Ontario, it would be permissible. So the Provincial Auditor would authorize that ad. It's as simple as that.

One area I would like to spend a few moments talking about is that there is one area where it is possible—in all other cases you cannot use the name, voice or image of a member of the executive council or a member of the assembly—to have an exception, and that is where the primary target is located outside Ontario. We have put this in the act because the experience we have looked at suggests that one of the most effective ways of attracting trade to a jurisdiction is by using the head of the government to communicate that. So the bill does permit the Premier or a minister to appear in advertising as long as the primary audience is outside Ontario.

But I would stress that even those ads must meet all of the other criteria. Those ads, even though they would be appearing in the US, for example, still have to go to the Provincial Auditor. The auditor would still review them to determine whether they're partisan or not, to determine whether the primary objective is to foster a positive impression of the governing party or a negative impression of a person or entity. It must include a statement that it is paid for by the government of Ontario, and it must meet one of those four standards.

I think the one area where we've had some comment on the bill is this particular one, where the bill does permit a member of the Legislature, the Premier, to be used in advertising. But the only place it can be used is where the primary audience is outside Ontario, and still the Provincial Auditor must review the entire ad and it must meet all the other criteria.

#### 1550

As I said, the reason we did this was that the advice we've gotten is that in many cases the best spokesperson for a jurisdiction, in business and investment, is the head of government. So we felt it would be a mistake to take away that opportunity for Ontario to use what may be one of its most effective tools in the years ahead. I think it's important, as the public hears this debate, that even those ads still go through all the other scrutiny we've built in.

I'm very pleased to have been able to introduce this bill and very pleased as we begin second debate on it. As I said when I began my discussion, we're not aware of any other jurisdiction in the world that has legislation like

this. We think it will do a lot to help restore public confidence in governments. Certainly the public have told us loud and clear that they do not want their tax dollars being used to promote the partisan interests of any political party. So I'm honoured to be able to introduce this piece of legislation. I look forward to the debate here in the Legislature. I also look forward to an opportunity to discuss this bill at committee in the weeks ahead.

Finally, I want to say that another part of the bill that we should be aware of is that the Provincial Auditor will be required to file a report annually. Part of that report will be to spell out how much taxpayer money was spent on advertising, so the public will have a clear report from the Provincial Auditor outlining in detail how much money was spent on advertising. To strengthen awareness of and compliance with the bill, we'll also prepare a code of conduct in advertising that would apply to all ministries, including ministers and their staff. The annual report of the auditor would allow Ontarians to know exactly how much of their tax dollars has been spent on advertising. Each and every dollar spent on partisan advertising, which we will prohibit if this bill were to pass, is a dollar less that we could spend on health care, education, our communities and the environment.

With this bill, our government is now taking firm action in delivering a new and better direction. This is an important step forward, and I look forward to the debate. I look forward to the bill being discussed at committee and I look forward to the bill being passed and not only saving the taxpayers money but, I think, helping to restore the confidence the public have in their democratic institutions.

**The Deputy Speaker:** Further debate?

**Mr Ernie Parsons (Prince Edward-Hastings):** I'm pleased to enter into the debate, although "debate" implies that there will be disagreement back and forth, and I can't imagine there being any disagreement with this bill.

**Mr Peter Kormos (Niagara Centre):** Stick around.

**Mr Parsons:** No, I won't rise to that.

I praise Minister Phillips for this. This is a bill that's long overdue. The people of Ontario told us over and over in the past four years—in fact, the past eight years—that they wanted to see a change.

One of the great things about an election campaign is knocking on doors and meeting people. There are many, many homes where it is quite evident that people work very hard, extremely hard, for their money, and it was offensive to them to see it blatantly wasted on campaign ads that went in the form of public service ads. It bothered them greatly. I would suggest to the former government that the money they spent probably backfired tremendously, because people are offended when they work hard for their dollars and then they're taken and just thrown away on ads.

Interestingly, in the year leading up to the election there seemed to be almost a frenzy of brochures arriving in homes: brochures telling us how great our schools are, except the parents knew that the schools were struggling; and brochures telling us how great health care was, but

people involved with the health care system knew that they were struggling. The ads were really an insult to the intelligence of the people.

There is a purpose for government advertising. It's very clearly laid out in here. But I do find it strange—and I guess ironic would be the right word—that the previous government, no matter what they'd done, maybe teachers didn't like them, maybe nurses didn't like them, maybe no end of groups didn't like them, said, "At least we're good money managers." They couldn't have been more wrong in their statements. We're now seeing from the auditor, we're seeing from these ads, that they were spending money like crazy on things that did not improve the lot of people in Ontario.

So this bill will ensure—not that there ever was a risk that this current government would do partisan advertising—that future governments can't use public money for what's really private, political business.

We look at the bill, and I think there's some scepticism among the public that a government would actually do this, because some people said to me that this bill is bad politics. I've said it may be, because maybe there are times when a political party would want to do partisan ads. It may be bad politics, but it's good policy. It is the right thing for Ontario. It is the right thing to do.

And I would note that this is one of a continuing string, that virtually every day in this House we're seeing another Liberal promise kept. In spite of the empty cupboards that we found when we took office, we're keeping our promises. This one certainly is a high priority for the people when their money's involved.

One side effect, in my mind, of all the ads was that they made people cynical about politics and politicians. If we look at the number of people who voted in the election last fall, it's in decline again, because the public has a sense—and they had the last eight years to get that sense developed—that politicians waste their money and only do what's good for politicians and forget where they came from. The advertising was a wonderful example for them to quote how the politicians weren't responding to what the people of Ontario wanted.

The risk when people feel that way is they don't show up and vote. In much of the world, there are people prepared to die to get the democracy that we enjoy in this province and in this country. We have a system that most of the world envies, and yet, we've seen cheap-trick political ads turn people off democracy and stay home and not vote. Democracy only works when each and every individual participates in it, and very clearly, this not only didn't work for the Progressive Conservative Party, but it hurt the people of Ontario from the aspect of believing in democracy, believing in their politicians.

The people in this Legislature, each and every one of us, came here wanting to do the right thing, and yet, some bright advisers persuaded some people over the last eight years to take the public money and waste it on this. So now we're back on track, and I'm very proud of our government for doing that.

We made both an election promise and a throne speech commitment that this would happen, and it's hap-

pening. We knew that every dollar that went to a partisan ad was a dollar less for the health care system, a dollar less for water inspectors. How many water inspectors were laid off to pay for the partisan ads over the last eight years? It's a number that should terrify people. Partisan ads were put ahead of safe water in this province. Schools struggled over the last eight years financially. There was no money for textbooks, but the previous government always found money to send glitzy brochures to every house in Ontario saying how much better they were doing, while at the same time classes were getting larger.

There were some statements today from the opposition challenging the Premier over his announcement of capping class sizes. One doesn't have to be a rocket scientist to know if you've got 35 students in junior kindergarten versus 20 students, obviously each and every student in that 20-student classroom is going to get far more attention. He's going to have a chance to ask questions. It's going to give the teacher a chance to get to know that person and work with them. The money that should have been in the classrooms over the last eight years went to advertising agencies and was just wasted.

**1600**

I applaud the system, because I've had people say to me, "Well, you're going to ban the ads, but who's going to determine whether the ads are partisan or not?" There's a wonderful role in this province, which is that of the Provincial Auditor. He's an independent individual: doesn't work for the government, doesn't work for the opposition parties, stands free and independent. The Provincial Auditor will be empowered to review and determine whether an ad is partisan or not. I think that's a wonderful mechanism to ensure neutrality.

The mechanism is relatively simple. It's going to add a little more time to placing an ad. Sometimes I like the expression which says, "Make haste slowly." The ads themselves will require a little more thought to ensure that there's no partisanship in them, and they will go to the Provincial Auditor to be reviewed—each and every ad, whether it's TV, radio, print or billboards, or whether it's householders that the provincial government mails out.

A government needs to advertise. I'm sure all of us, as elected members, from time to time—in fact, on a regular basis—have calls from people saying, "I've lost my OHIP card. How do I replace my OHIP card?" That's a perfect opportunity to use advertising on the part of the government. New initiatives, or if there are amendments to the Highway Traffic Act, there's an opportunity to advertise. So it won't prevent that, but it gives the Provincial Auditor the time to review and determine whether it meets the criteria we've established.

Now, just a quick overview of the standards that we're going to require to be met. It informs the public of current or proposed government policies. That's what I just said. It informs the public of their rights and responsibilities. For the public at times, the provincial government is a huge monster and they need information on how to contact us, how to avail themselves of our services.

It "encourages or discourages specific social behaviours." We've seen ads about drinking; we've seen ads about drugs. I kind of wish there was a Conservative member here to hear this, but nevertheless—they'll probably be in their offices watching this, I'm sure.

"How much money?" That's the question I've got on a regular basis. "How much money did the previous government spend on partisan advertising?" The answer is that we're not totally sure, but we believe over \$250 million went into it. There were tricks that were used, which certainly the Provincial Auditor will close the door on.

The Provincial Auditor is getting a great deal of increased power with this, but this is consistent with some other actions that we've taken. The Provincial Auditor will be able to review the ads and determine whether they can go forward or not. We used to, certainly under the previous couple of governments, play a game of "What are the finances of Ontario like?" or "What are the finances of the school boards and the hospitals like?"

We would get a report at the end of the year from the Provincial Auditor. I am thrilled that Premier McGuinty and our government have put in place legislation that gives the Provincial Auditor more powers, not just with this advertising, but more powers to hold the government accountable for the dollars. In every area, whether it be hospitals, whether it be school boards, whether it be anything, there's only one taxpayer. The Provincial Auditor will be given much more of a free hand to ensure that the dollars are spent right. I believe that's the right thing to do.

I guess the intriguing question is why didn't it happen before? For a government that always, over the last eight years, boasted of how well they managed the money, why didn't they want the Provincial Auditor to go and look at the books? We found out last fall why they didn't. I shudder to think, if they had been re-elected with the deficit that they had created, what the slash and burn would be to our health care system, to our education system.

It also reinforces for me that if you give the public the right information, they make the right decision. People in Ontario are not stupid. It is nice to see them back on track. They realized that the savings were very false for them, as presented by the previous government.

Have we created loopholes? That's another question again. You're going to find a way to get the Premier's photo or the minister's photo. I can assure you, there are no loopholes, and there are no ways for it to be changed after this bill is passed.

The bill is very specific. The Premier's photograph will still appear on ads that are placed throughout the United States and, in fact, the rest of the world, because we want to make it very clear that Ontario's open for business and open for tourism. It is a wise decision on our government's part to have a tremendous spokesperson, as we have with the Premier, to talk to groups, but it's important to note that, if the ads are aimed at the US, there are no voters in the United States. There are no voters in Europe, there are no voters in the Far East or

whatsoever. The only advertising material where we will permit the Premier's photograph is to non-voters. What could be more fair than that?

In closing, again I applaud the Premier and Minister Phillips for doing what should have been done years ago. Once again, we've kept a promise. Once again we're doing what is right for the people of Ontario, and I'm very proud of this.

**Mr Bob Delaney (Mississauga West):** To truly speak out on Bill 25, which prohibits partisan government advertising, one would need to contravene the Speaker's consistent rulings on the use of props. To truly grasp the urgent need for Bill 25, I'd need to make a fan of the expensive, colourful brochures sent to Ontario households on a regular basis by the provincial government. To illustrate the point more clearly, a backdrop behind me should probably be papered with reproductions of the print ads, magazine ads, posters, flyers, householders and other print pieces remarkably similar in colour scheme and graphic look to the political party colours of the former government.

The use of the props would not end with wallpaper or paper props. Your ears would be filled with commercial spots repeating and repeating the taxpayer-financed harangue that walked parallel to the previous government's party platform. Before me, on a row of televisions, a succession of clone-like commercial spots, each almost as mind-numbing as they are expensive, would repeat and repeat in an endless loop.

I have painted a verbal picture of the egregious and unforgivable overuse, misuse and abuse of the power of paid media repetition in this manner to convey, in a small way, why the government of Ontario has taken the extraordinary step of finding the necessity to pass a bill prohibiting the Ontario provincial government from using the financial resources of hard-working Ontario families to repeat and repeat a message having absolutely nothing whatsoever to do with the delivery of government services.

There is a difference between an honest and legitimate need to convey and repeat a specific message through the medium of advertising and the blatant and flagrant repeated misuse of the powers of content control and repetition.

Governments need to advertise to get a message on the use and availability of government services to an audience or to a segment of our population. We, as citizens and as consumers, need to know how to gain access to government services, what deadlines and conditions apply and how to use specific government services and programs.

Responsible government advertising has an honest business case. It's part of a communications strategy. It is used on a reasonable basis, and it is independent of the policies and the philosophies of the party in power. As well, responsible government advertising should not promote or aggrandize any member of the government's executive council, especially the Premier. But that is not how government advertising has evolved in the last three governments.

The verbal props I referred to at the beginning of my remarks would be full of such titles as "Report to Taxpayers" and similar titles that implied the taxpayers actually wanted that type of advertising piece promoted and released with their money.

**1610**

The last estimate of partisan government advertising I saw was about a quarter of a billion dollars of taxpayer funds squandered in the name of partisan political promotion with absolutely no value whatsoever to the hard-working taxpayers of Ontario. I call that a real sponsorship scandal.

The part that should outrage Ontarians even more is that the hundreds of millions of dollars spent on advertising that had no impartial informational value and which produced no benefit to Ontario taxpayers whatsoever—each and every dollar wasted on self-promotional partisan advertising was a dollar that could have been spent on repairing schools. It was a dollar that could have been spent on hiring nurses. It was a dollar that should have been spent on balancing the provincial budget instead. As it is, Ontario was left some \$20 billion deeper in debt as of the fall of 2003 than it was in the spring of 1995.

Parliamentary tradition places the government and opposition benches just more than two sword lengths apart in this legislative chamber. It has never been necessary to erect a physical barrier to keep the sides apart. It is thus as unfortunate as it is necessary to erect a legislative barrier to ensure that good judgment and the wise use of taxpayer funds is the law rather than the accepted practice in Ontario. It is the law precisely because advertising in today's world is as pervasive as it is effective.

No advertiser in any medium is forced to advertise, but they do, and they will continue to advertise. Advertisers know what speakers take a career to learn. Advertisers know that people have an attention span of about 30 seconds on any topic. Through focus groups, research teams, storyboarding and the efforts of creative minds that border on the brilliant, the initiative in conveying any message passes to the advertiser once the message's creative content is combined with the awesome power to repeat and repeat the message. Depending on what age you are, you can recall and repeat verbatim a commercial message that may not have been broadcast or printed for 20 or 30 or 40 years, and that's without any reinforcement. That's power. That's the real thing.

If an advertiser has the financial staying power to be able to repeat the message, and the creative minds to boil the message down to a simplistic slogan and a compelling visual, then there is not a power in creation to prevent that message from being absorbed. The previous government certainly had the financial staying power to be able to afford to tell Ontarians that everything Ontarians stood against—a crumbling school system; impossible waits in our health care system—was really good for them. That financing staying power came from taking funds from hospitals, schools and public transit in

Ontario. Fortunately, Ontarians rejected these Orwellian messages and chose change last fall. Now Ontarians can look to their provincial government not merely to protect their tax funds but to protect them from an assault on their minds in print ads and in broadcast media.

Bill 25 says clearly that advertising must be "a reasonable means ... to inform the public," to affect specific social behaviours and "to promote Ontario ... as a good place to live, work, invest, study or" vacation. The referee in this case is not any cabinet minister or ministry administrator but a designated staff member within the Office of the Provincial Auditor.

These standards of objectivity begin with a simple statement that the advertising is paid for by the government of Ontario. Advertising, commercials, editorials or paid programming can no longer walk a policy path parallel to the governing political party in Ontario. In other words, it must be informational and not partisan. To that end, government advertising may no longer promote or showcase a member of the Ontario executive council or any member of this assembly. Government advertising may no longer be part of an image management strategy, fostering a positive or a negative impression of a person or an entity. These standards, and the practices that facilitate them, will evolve over time. I expect Ontario will be studied intensively for its leadership in stating clearly what publicly funded advertising may and may not buy.

Making the Office of the Provincial Auditor responsible for interpreting the provisions of Bill 25 puts the judgment in the hands of an independent officer of the Legislature. It is this type of groundbreaking initiative that will restore the faith of Ontarians in their democratic institutions. In this way, our Ontario government will be more accountable, more transparent and more fiscally responsible. In this way, Ontarians will see value for the expenditure of their taxes rather than more years of crass manipulation.

Goodbye self-congratulatory householders. Farewell to ads that insult teachers and other groups opposed to the government's policies. We say to the men and women who plan the media buys and develop the creative content to focus on informing Ontarians rather than manipulating them. Ontario challenges other jurisdictions to take our lead and walk away from partisan advertising, as they have walked away from smoking.

In the provincial election of 2003, and in the years leading up to it, our party said to Ontarians that we will cease the production of partisan political advertising voluntarily, and we have done that from our very first day in office. We also said that the government of Ontario will ban the practice of partisan political advertising in the province of Ontario—promise made, promise kept.

**The Deputy Speaker:** Further debate? The member for Stormont-Dundas-Charlottenburgh.

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** Not my riding, Mr Speaker, but you may want to try Pickering-Ajax-Uxbridge.

**The Deputy Speaker:** I've got you in the wrong chair, that's for sure. Pickering-Ajax-Uxbridge—at least they're three words.

**Mr Arthurs:** That's right. Both of them are multiple jurisdictions, and that's always a challenge.

**The Deputy Speaker:** I apologize, but continue.

**Mr Arthurs:** It's not a problem.

It's with pleasure that I rise this afternoon to follow both the member from Prince Edward-Hastings and the member from Mississauga West, and most particularly, though, the Chair of Management Board, who has a long history in this Legislature and certainly knows the comings and goings. Who more appropriate to be bringing forward Bill 25?

Bill 25, An Act respecting government advertising. It's interesting when one looks at the words, "respecting government advertising." In the simplest of fashions, one might think of that as having regard for respecting, about government advertising. But in effect it's much more than that; it really does talk about respect: respect for the taxpayers' dollars, respect for government advertising, respect for the purposes for which advertising is meant.

The legislation is an important cornerstone of our government's pledge to deliver positive change and make government in the province of Ontario work for the people of Ontario. It's groundbreaking legislation. Research was done in an effort to find comparators, to find materials that would assist in developing a piece of legislation to ease that burden. They weren't there. There are some jurisdictions that may have some policy initiatives, but none that could be found that have legislation in place. This will provide opportunities for other jurisdictions to look carefully at what our government is doing and, should this bill come into law, opportunities to follow suit so that they too can show respect for their taxpayers in the advertising they do.

It's one of those signature pieces of legislation, if one thinks of it in that way. It was core to our campaign strategy last summer and last fall. It will ban partisan advertising, if passed. It will take out of play the opportunity to advantage oneself as a government, as a political party in power, as an individual elected member by virtue of the taxpayers' dollars. As a matter of fact, it's central to the democratic renewal initiative that our government is undertaking. That renewal initiative, led under the responsibility of the Attorney General, the member from St Paul's, but aptly directed by the parliamentary assistant, the member for Sarnia-Lambton—we know that this piece of legislation will fold in, in an effective way, with the overall agenda for democratic renewal.

1620

We made a pledge last year to work to restore public faith in our democratic institutions. This will be one small part of that agenda—not all of it by any means, but one very visible part. In effect, maybe it will be what people don't see after this bill is in place or when the bill comes into play, as opposed to what they do see. It will remove the self-promotion and the self-aggrandizing of governing parties or individuals undertaken in the guise of government work.

We're doing this by introducing initiatives to strengthen our democracy and make government more accountable to the public, more transparent in what we're doing and more fiscally responsible. We're taking these steps—and they're considered in some cases to be bold steps, positive steps—to strengthen democracy and improve the government in a way that it serves the people of Ontario.

This particular piece of legislation, the Government Advertising Act, Bill 25, introduced by the Chair of Management Board, Gerry Phillips, is a positive example of the steps we're taking as a government to make government work for the people of Ontario.

Partisan advertising will become a thing of the past. No longer can members of the executive council or members of the assembly find their voices and images used for partisan purposes at the taxpayers' expense.

During the election last fall we made a promise to eliminate the waste of taxpayers' money in the tens of millions of dollars. We know that the overall context of government advertising is necessary, and it runs into many hundreds of millions of dollars. Some of that is necessary, but there were certainly many millions of dollars spent, even as recently as last fall, that were wasted.

I'd like to draw attention, if I could, just briefly to what our commitment was during the course of last summer and fall. We made a very specific commitment to implement a bill to ban self-promotional government advertising and authorize the Provincial Auditor to review and approve all government advertising in advance. This legislation clearly meets that goal.

It's interesting to note that as early as last April, Anthony Westell from the *Globe and Mail* was commenting on money wasted by the prior government in advertising initiatives. Let me quote:

"First, Ernie Eves's government shouldn't be using millions of dollars of taxpayers' money to distribute what amounts to Tory party propaganda. And second, this pamphlet"—speaking about some of the documentation in the form of government advertising out last spring—"is another phase in the campaign to sell the budget to the voters before submitting it to the Ontario Legislature"—we know havoc created here in this Legislature and across the province by the failure to deal with the budget where it should have been dealt with—"that is, another attempt to subvert parliamentary democracy."

We know what the history is. We have a particular obligation to ensure that it doesn't get repeated. This bill is about ensuring it doesn't get repeated.

We repeated that commitment, not only in the context of what was written as part of the party platform but also as part of the government's throne speech. We put it out there on the very first day as one of the cornerstone activities we'd be undertaking. The Chair of Management Board brought the bill forward in December last year, in the first sitting session of the Legislature. Early on, only into April, only in the second part of the sitting of the first major session, the bill is before us for second reading now, and ideally, subsequent to consideration by

the Legislature, if it acquires second reading approval, it will move off to committee.

**Mr Jeff Leal (Peterborough):** A commitment made, a commitment kept.

**Mr Arthurs:** That's right: a commitment made and a commitment being kept.

The people of Ontario expect their hard-earned tax dollars to be used in a fashion that will serve them—not serve us, but serve them—instead of serving partisan political interests. They want their money used to provide for clean air and clean water in their communities. They want their tax dollars to be used diligently for the benefit of all citizens in the province of Ontario. After all—it has been said here before—every dollar spent on self-serving, partisan advertisements is a dollar less for our classrooms or health care or water inspections.

I only have to draw attention to some of the materials, some of the documentation, the financial analysis, to see how many dollars and examples of dollars that have been wasted that could have gone to classrooms and health care and water inspections.

I just draw attention to the preliminary fiscal 2003-04 media spending. These need final balancing numbers, but they are projected annual numbers. Interestingly enough, from April to October of last year, from early in the spring when one was anticipating an election until we took government, the finance ministry, in and of itself, was second-highest in media spending—some \$5.3 million. From October 24 to March 31, although we probably need some confirmation, there were virtually no dollars spent on media spending. Five million dollars leading up to last fall's provincial election—one would have to suggest, in an effort to provide some rationale for the actions that took place last March with the Magna budget.

As a matter of fact, just to get a comparator: Elections Ontario, in the same period—Elections Ontario holds the elections for everyone in the province of Ontario—in its entirety spent just \$5 million. One ministry, the finance ministry, spent more than Elections Ontario in its entirety. And we know what the purpose of that spending was by the finance ministry during that period of time. It was because they were in so deep following the Magna budget that they felt they had no choice.

Interestingly, that promotional material that was out there, millions and millions of dollars of taxpayers' money, was all to no avail.

**Mr Leal:** Just to enhance Janet Ecker's image.

**Mr Arthurs:** And it didn't work.

**Mr Leal:** Not one iota.

**Mr Arthurs:** Partisan advertising has obviously been used far too long by far too many politicians, far too many parties and far too many party platforms. Probably no party in this Legislature is not guilty of that in past governments, in governments prior to that. But we're planning, and we will, subsequent to this bill being adopted with the will of this House, put a stop to that.

There are all too many examples of the partisan advertising that has filled our airwaves and arrived on our

doorsteps over the past few years. I just want to take a look again at last year, because I think we need to keep things in the context of what's current with us.

You'll probably remember these—and I have to tell you that when my constituents received these on their doorstep, they believed them to be election material. Surprise. They thought, "This is the province of Ontario, the government, the Tory party," and that was their election material. This one talked about the budget overview; there was one, the education report, that came out in the spring of 2003; and the report to taxpayers on seniors was in the summer of 2003. And each and every one of those, as they arrived in the millions at people's doorstep—and the energy report—

**Mr Leal:** How much does it cost to post one of those things?

**Mr Arthurs:** Well, the claim was some 24 cents for production and delivery for each one to the millions of households across the province, and they were coming weekly; not just one, but weekly.

Each one had a flavour and a theme when you opened it. Right there on the inside of the front cover was the member opposite, then-Premier Ernie Eves, with a message on each and every one that went out, all in the spring and summer of last year, knowing that the election was imminent. As a matter of fact, most of us thought, I'm sure even the member across thought, that he'd probably call an election within a matter of hours. On the last page before the tear-off, each one of those had the minister of the day in that particular ministry.

1630

**Mr Leal:** Was John Baird's picture on one of those too?

**Mr Arthurs:** Well, I think we had one of the member from Nepean-Carleton under energy; one of the former member from, I think it was Waterloo South—I have to check and see—the Minister of Education; and the former member from my riding, showing on the back, the finance minister. You probably had that at your door—multiple copies. They just kept coming; they never stopped. It was not only the cost of getting them there but after you went over them in detail, because they were such important information, I'm sure—we spent nights with them under our pillows so when we woke up in the middle of the night, we could fall back to sleep again rapidly, because we sure wouldn't want to stay awake. They went to the blue box and we paid the cost of having them recycled.

We know that government advertising has cost the taxpayers multiple millions of dollars over the years. The waste has to stop. It has to come to a grinding halt. Legitimate government advertising for real purposes is necessary but not when it's blatantly partisan in its nature.

If the legislation passes, it will require the office of the Provincial Auditor to pre-screen any proposed government advertising. It will have to go there first. There will be a process in place to determine whether or not it meets the very high standards that we're going to be setting out

in this legislation. If, in effect, it meets all of those standards, then it can go forward. If it doesn't meet those standards, the advertising doesn't happen. The ministry can resubmit it if they so choose, and make changes, but it can't go forward without the pre-screening and the approval of the Provincial Auditor.

It will include clear standards that the auditor or an Advertising Commissioner—and there is a provision where the auditor will be able to establish an office of the Advertising Commissioner. The Advertising Commissioner will have to be appointed by the Board of Internal Economy, so it's getting vetted and provided for in a multi-party process; therefore, there can't be any indication of partisanship on the part of the party in power by virtue of parking someone there who might take their interests. It's far broader than that.

The ad in itself must be a reasonable means to do one of a number of things potentially.

Inform the public about government policies, programs and services: This is for any advertising. This is not whether or not it would have had a picture of the Premier or a cabinet minister; this is simply for an ad to meet the strict criteria: Is it money well spent in Ontario to provide people with information?

Advise the public about the rights and responsibilities they have: That's another one of the potential criteria.

Encourage or discourage certain types of social behaviour: That's a responsibility we have as a collective body, not only as government but as a community, as a society, to reinforce positive social behaviours or to discourage those things that are negative in our community. We have many examples as we move through legislation and move through the terms of office—the minister referenced smoking as an example of the types of things we want to discourage in young people. That's one of the criteria one would have to consider.

Promote Ontario: We always want to promote Ontario as a good place to live, work, invest, visit or study.

There are clear standards set out for which advertising can go forward. But in addition, the advertising cannot be intended to foster a positive impression of the governing party. We can't use it to our own political advantage, even as an ad without the image or the voice on a billboard—and we saw lots of those—or in a magazine. There are examples of those. This can't foster a positive impression of a governing party—it talks about government for the people of Ontario—or a negative impression of any person or group that might be critical of the government. We can't use taxpayers' money to run down a group that might not like the position being taken by the government at that point in time.

**Mr Leal:** The way they ran down teachers and nurses.

**Mr Arthurs:** In much the same way; it protects the interests of the public.

So an advertisement considered partisan by the auditor doesn't go forward. It stops right there, dead in its tracks—no appeal. Resubmit if it has enough value to resubmit, or simply set it aside and move on.

There are certainly examples of the types of things that one could consider for advertising under this legis-

lation—both good and maybe not so good examples. The Chair of Management Board made reference to an advertisement for smoking that would fit nicely under that category, where we're trying to discourage young people from smoking. So the ad would be prepared by the appropriate ministry, probably the Ministry of Health, and submitted to the auditor for consideration. They would review it within a reasonable time frame, and that would be set through regulation—work being done with the auditor to determine what would be a reasonable time frame and what kind of resources will be needed; for example, an advertising commissioner—but in a reasonable time for the ministry to be advised whether it meets the standards so that the advertising could then go forward or come to a complete stop.

Now what might not be considered as reasonable advertising, I would suggest—I don't know if I have it all here. It's probably not handy. You may recall last spring, I believe it was May—I'm sure it was May of last year—that the government of the day, the party of the day, chose to use Maclean's magazine. I must say that when I received my May 19 copy of Maclean's magazine and opened it up, I couldn't believe what I was seeing. Not only did we have to contend with this in our mailbox, on our doorstep, in multiple fashion, but we had to contend with some 39—

**The Deputy Speaker:** I'd just remind the member that government documents can be shown but not flaunted.

**Mr Arthurs:** Those are government documents. I'm just referencing them so I can get the title. The Maclean's magazine of May 19 had a 39-page—half the magazine—colour insert, a great centrefold. As a matter of fact, the way it was packaged, you could take it out. You could pluck it out of there by moving a couple staples around and have a 39-page insert. There were glossy photos and lovely pictures of the Premier and others included, all with tax dollars, all leading right into an election time frame. As a matter of fact, I think at that time people were talking about a June election; the writ could have been dropped any day. It was just everywhere. So we want to get rid of that type of blatant partisanship and use of resources, tax dollars, of the people of Ontario.

We talked about advertising that could be allowed, advertising that meets the requirements of the people of Ontario to inform them about their rights and to discourage or encourage certain behaviours. There are always some exceptions. There have to be exceptions to protect the people's interest. The exceptions are not exceptions in the context of using the images and voices of assembly members or the executive council, but there are exceptions in the event of an urgent health matter which requires an advertising campaign. I think SARS would have been a good example of that. No one would criticize the Premier of the day for taking proactive action in respect to SARS at that point in time. Those are the types of urgent health matters one might consider. To ensure that during an emergency situation people receive

the best information, and last August's blackout would be a clear example of an emergency situation where one would respect the fact of seeing the Premier on TV or getting information out to provide stability in the system and make people feel comfortable with what's happening and that the government was in control: Those are the types of urgent matters and emergency situations that one could understand and see as exemptions to the strict criteria, the high standards that we plan to put in place, should the Legislature adopt Bill 25.

As well, we're going to let the public be the judge of whether or not in an emergency situation or a health situation we did the right thing. On an annual basis, the auditor will be asked to report to this Legislature on the cost of government advertising: How much is being spent by government in the context of the ministries for the purpose of advertising? So we'll have that as an annual report.

There will also be provisions should the auditor feel that a government of the day has misused the legislation or hasn't followed the guidelines. He can make a special report at his call. He can also seek out information from the ministries to ensure that each government is complying with the legislation that is in place. There is a lot of power provided to the auditor so that we have available to that arm's-length individual responsible to this Legislature and the people of Ontario? the necessary powers to allow for the legislation to work in the best possible way.

**1640**

To wrap up, I want to come back almost to where we started. It's our objective to bring transparency and accountability to government in its advertising. It's our objective to acknowledge that constraints from partisanship on advertising is a central tenet of our democratic renewal process. It's a cornerstone of a pledge we made last year. It is a commitment we made. Some across may want to refer to it as a promise kept, and I'm anticipating that they will want to stand and so acknowledge before the debate is over on second reading.

We are committed to a new course of action, one that is open and accountable to the people of Ontario. This particular act, the Government Advertising Act, would be an important step in this direction. I'm urging all members of the Legislature to support this very important piece of legislation.

**The Deputy Speaker:** Questions and comments?

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I am certainly pleased to offer my comments with respect to Bill 25. My first question on this would be, how come there's no definition of what advertising is? Certainly there's reference to, and I think the member has been using this, "partisan political advertising." The legislation does provide under subsection 6(3) what partisan is. It says, "An item is partisan if, in the opinion of the Provincial Auditor, a primary objective of the item is to promote the partisan political interests of the governing party."

Certainly that specifies what partisan is, but we don't know what would be classified as advertising. I think it's

important, because it's not just something that is paid for. What is being advertised? I think that's something this act really does miss out on.

The framework of the legislation is set out here, but when you get to the nuts and bolts of this act, it's going to be found in the regulations. I would hope that the regulations would be subject to public hearings and subject to review by the members of this Legislature. I would think an amendment should be sought to ensure that such regulations are tabled in the Legislature prior to coming into force so that they can be subject to a full discussion.

The role of the Advertising Commissioner is not well defined in terms of the process of appointment and the terms of reference of the position. Also, the Provincial Auditor has no real enforcement powers under the act beyond a reference in the auditor's annual report, which is obviously not of the same sting that one would expect of this, but it does also contain no appeal of an auditor's decision. So it seems to be a little bit conflicting in terms of what we are trying to accomplish here.

**Mr Kormos:** This is but two minutes of so-called question and comments. I don't think I am going to get on this afternoon. It looks like the Conservatives, if they use up their hour for their leadoff, are going to take us right into 5:50 and then 10 minutes of questions and comments. But I will be speaking to the bill other than the two minutes now this afternoon, so if folks want to move ahead to Oprah or whatever else is on the networks, feel free. I will be back another time, another place. Then again, no short shrift to the Conservatives who want to debate this bill and are eager to have you as an audience as well, I'd invest in Oprah if I were you.

I should indicate that I am grateful. I thanked the minister, because his staff gave me a briefing on Thursday morning. I was apologetic because I was late for that. I ran into a group of kids from Jordan, elementary school students and their folks and teachers. It's Hudak's riding, but they stopped so I said hello to them while they were on the steps and I was late.

But, honest, I go there and the staff are incredible; they really were super. I'm grateful to them. They were very effective, but there were seven of them. When I realized I was the only person attending the briefing, I was embarrassed. There was at least half a million dollars in salaries sitting in that room so patiently with me as I asked some of the most mundane and pedestrian questions about the legislation. They took me by the hand and walked me through this bill section by section, punctuation mark by punctuation mark.

In the course of doing that, I learned, and I'm grateful to these people for doing it, that the bill is not what it appears to be. I predict—and I say to you that you should have had the benefit of that careful briefing that I had with those high-priced staff people, for whom I have great regard, because at the end of that briefing I realized this is very much a little bit of a sham—there will be as much partisan advertising three years from now as there was three years ago. Mark my words.

**Mr Khalil Ramal (London-Fanshawe):** I'd like to rise again today in this House to speak in support of this bill because I believe it's a strong, great bill for the people of this province, another promise being implemented to protect the people of this province and to protect the taxpayers' money.

I was listening with great interest to the honourable member from Pickering-Ajax-Uxbridge when he was showing those government documents. I guess every house in this province got one of those. What a waste of money. Instead of this money being invested in our school system or our health care, it was invested in self-promotion for the government.

Another thing I was always concerned about was that as you drove on Highway 401, you saw a huge sign that said, "Your Ontario tax dollars at work" and underneath it, "Mike Harris," so another promotion.

*Interjections.*

**Mr Ramal:** How much money was spent on these advertisements to promote the government, to promote the ministers? Shameful. At the same time we had a collapse in the health care system; education was a disaster. The past government spent tons of money left and right to promote themselves, to get re-elected. What happened on October 2? They didn't get anywhere.

I believe when we invest the money in the right spot, if it's a good example, a good direction, people will remember that and will elect you, not by sending promotional papers left and right. Waste goes into the garbage. I believe the money has to be invested in the right spot. That's why I'm standing here today in support of that bill. I believe our government is going in the right direction and it will continue to go in the right direction. Also, it's another promise to be implemented. I'm proud to be part of this government.

**Mr Jerry J. Ouellette (Oshawa):** I look forward to following up on a couple of comments of my colleague from Barrie-Simcoe-Brampton, and the definition of "advertising" is one.

I know the Minister of Tourism spoke today in the House about providing some literature on the promotion of Ontario. I'm not sure what information will be in those as of yet. We've requested copies in the past to find out whether there's information or whether there are pictures there.

What really is the definition of "advertising"? This is being televised as we speak. Is that advertising or promotion? Is it based on the fact that expenditures go out in order to provide information? Providing information for the understanding of legislation as it comes forward was the original intent for coming forward with a lot of these things. But when you look at some of the contents of the bill, subsection 1(2), for example, "For the purposes of this act, the deputy minister of a ministry is the head of the ministry," some of that difficulty may come in, as the members of the government said, in what happens in an emergency situation like that. Do you have to go through a process where you're dealing with the deputy minister to get that information, as was the case

with SARS, where it is prior-approved? If they don't think it's necessary to get that out or the expenditure is not there, then—I've had the opportunity and privilege to be sitting in the minister's office—sometimes they question some of the information getting out and delay that process, whether by intent or design or whether it's just to make sure it's the right thing. You sometimes need to get that information out right away, possibly in radio ads and things like that. In the event of emergencies, I think an exemption should be allowed.

Not only that—there isn't a lot of time in a two-minute question and comments—if the government really doesn't believe it's something they should follow up on in communicating the message, why don't they just not put the information out rather than going through the process of establishing a bill and all the committee hearing process etc? I appreciate the opportunity and look forward to hearing further comments.

1650

**The Deputy Speaker:** The member for Pickering-Ajax-Uxbridge has two minutes to reply.

**Mr Arthurs:** I thank the member from Barrie-Simcoe-Brampton for his comments in respect to looking for some definition with respect to advertising. And certainly we'll look forward to the member from Niagara Centre's enlightened comments at a subsequent point of time. I'm glad he took the opportunity to be thoroughly briefed on the bill ahead of time. I thank the member from London-Fanshawe for his support of the bill, and the member from Oshawa for his comments with regard to issues around emergency situations.

Let me briefly speak to a couple of those matters. The issue of the definition of advertising: If one looks to the bill, it speaks quite clearly about what advertisements are. It speaks to paid advertisements published in newspapers and magazines, displayed on billboards or broadcast on radio and/or television. It's quite clear where the media are that are involved with that and what constitutes advertisement in my view. It speaks to printed matter under a separate section of the act, section 3. That speaks to mass mailings, householders of that nature. Bulk mail or its equivalent that are so broad in nature that they fall under the category, and paid advertising by ministries, the cabinet office and the Premier's office are included.

The matter of emergency exemption is covered under the legislation. I'm sure we'll have further debate, but there are provisions in the event of emergency. It certainly made reference to the situation, whether it be a SARS-type scenario or a blackout scenario, where advertising can go forward immediately to meet those kinds of criteria.

I'm sure that as we move forward, things will be tighter and tighter. Regardless, there's lots to debate in the bill. This only the first day of second reading. I'm sure there will be lots of comments and observations because it's the type of legislation that strikes close to home for many on both sides of the House. I know that the minister, myself and others will look forward to that debate.

**The Deputy Speaker:** Further debate?

**Mr John R. Baird (Nepean-Carleton):** Before I begin, I just wanted to pay tribute to a former Nepean councillor, Al Brown, who passed away of ALS. Al was a member of Nepean city council from 1978 to 1988. He'll be greatly missed by so many in our community. We want to extend our best to his wife, Mary, his two sons and his two grandchildren.

I'll be sharing my time with the member for Barrie-Simcoe-Brampton.

I'm pleased to have a chance to rise and speak to Bill 25, carried in the name of the Chair of Management Board, Gerry Phillips. The one thing I'll say to the people watching on TV who might have been listening to Peter Kormos, my friend from Welland, is that when he speaks on this bill—which would likely be for the hour, when it next is called on the order paper—I hope he talks about posters. Billboards are covered, as the member for Pickering-Ajax-Uxbridge said, but posters aren't.

I have seen these lovely posters of Howard Hampton that are about this big: full four-colour posters. These posters are from when he was Minister of Natural Resources. These were posters printed in four colours, the entire poster of the then minister. Howard Hampton was sporting a beard at the time and is wearing a nicely hand-knitted sweater. I don't know whether it was knitted by a loved one, a family member—

**Mr Kormos:** He could have knitted it himself.

**Mr Baird:** It could have been knitted by himself—or whether it was knitted by someone else. This four-colour poster has got to go down in history as the most self-aggrandizing advertising ever paid for by taxpayers. I know the member from Niagara Centre will want to talk about that big poster. There's no information about MNR on it. But I know he'll want to talk about it and he'll want to get his comments in on it.

**Mr Kormos:** Bring one in.

**Mr Baird:** I would love to bring one in, but it's a prop and I would never use a prop.

I'm pleased to talk about Bill 25, presented by the Chair of Management Board. People often say, "Judge people by what they do, not by what they say." That's very wise. Gerry Phillips stood up in this House very sanctimoniously—I like Gerry Phillips. He's a good guy, a good minister, a good individual, a man of great integrity. He will make a great Minister of Finance in the not-too-distant future. On December 11, he tabled this government advertising bill. What does Gerry Phillips do while he is talking against government advertising? He publishes partisan advertising. Guess what colour his ministry, the Management Board Secretariat, has chosen for their new magazine? Is it Tory blue? No. Is it green? No. Is it purple? Is it yellow? Is it black? Is it white? The masthead of the first publication of Topical under the Liberal government has been changed to the exact same colour as Liberal Party red. You can actually take the document and go up to a Liberal campaign sign and it's the exact same font.

Gerry Phillips must have been so embarrassed that in the first advertisement taken out by his ministry they've

adopted Liberal red, the exact same font, the exact same print code number. When asked about it by the media, the public servants there said it was just a coincidence. Give me a break.

I go to this document that Gerry Phillips put out. He must have been embarrassed. This is a photocopy of it, I say to my cackling friends in the back there. I look forward to hearing them speak as well. I've got the document here. It is indeed in Liberal red. I read with great interest, as the member for Pickering said, that the act says on page 4, "It must not include the name, voice or image of a member of the executive council." Guess whose smiling face is on the front page of Topical, the first advertisement of the McGuinty government? It's Dalton McGuinty. It's a very nice picture of Dalton. It's got the Ontario flag right beside him and he's smiling. You've just got to wonder what Gerry Phillips must have felt like, being the first person to break his own act. Heads must have rolled over at Management Board, I say.

**Mr Garfield Dunlop (Simcoe North):** No, they didn't fire anybody. They promote them.

**Mr Baird:** They probably promoted them. You're right.

But the first thing they do is a big, four-colour, Liberal red masthead on the cover of this public service publication. I say this to the people watching over there where they've got Gerry Phillips's assistant. This is a photocopy, because I don't have a coloured copy with me.

**The Deputy Speaker:** The member for Nepean-Carleton, I said government documents can be shown but not flaunted.

**Mr Baird:** Thank you, Speaker. I just want everyone to see the picture of Dalton McGuinty smiling on the front page of this document. We know how seriously this Liberal government is taking this act when they put a smiling four-colour picture—not a black and white newsletter, but a four-colour advertisement with Liberal Party red on the masthead, just by coincidence, and they sent this out. So this is how seriously Gerry Phillips takes his bill on advertising.

This is just a game that the Liberals play. They don't want to talk about their broken promises, so they trot out one of these public relations gimmicks. They're very good. I bet you're going to say, "Well, it's just one single newsletter." It's not.

I am fortunate to be the culture critic for the Conservative Party, for the official opposition. I am perhaps not a very good culture critic because I like the minister.

*Interjection.*

**Mr Baird:** It's a nice picture. I'm not the hypocrite on this. I wasn't on the soapbox. I am not the hypocrite on this and I'm not on the soapbox complaining about it.

Anyway, I am the culture critic. I am not particularly good at that task because I like the Minister of Culture, so I can't be very critical of her. She's a neighbour of mine in Ottawa and I think she's a very capable individual.

1700

But one of the agencies that she is responsible for is the Trillium Foundation. On the front page of the Trillium News, another government publication, you've got not one picture of the minister, but two—two pictures of the minister. This, you say, must contain information about a government policy. But it says right here on page 4, "It must not include the name, voice or image of a member of the executive council," and there is not one, but two.

I say to Madeleine's office, if you are watching, it's the Trillium News, the newsletter, and they've written a glowing article about the minister. I've got to love this. This came out after this bill was introduced. I thought, "Wow, this must be another broken promise for the Liberals." I wondered, "Could it only be one picture?" But it's two. Then I look inside the newsletter and here is this smiling face of Marie Bountrogianni, the Minister of Children and Youth Services. She is in there too; so is Sheila Copps. Madame Copps is in here as well, another smiling Liberal face. We keep going, and there's a third picture of the minister. I said, "That can't be the case," because it says right here that it must not include a picture of a member of the executive council or a member of the Legislative Assembly. But here's a picture of the member for Glengarry-Prescott-Russell. They've broken the law. They brought you into this crime.

I say to the member from Glengarry-Prescott-Russell that he is an honest, capable fellow and he shouldn't be brought into this crime being perpetrated by the McGuinty government. It's unbelievable. But it gets worse.

#### *Interjections.*

**Mr Baird:** I say to my fan club behind me here, I'm not the one who ever said there was anything wrong with this; you are.

There's also a picture of my good friend Liz Sandals. She's in the picture in this brochure too. She's right there. There she is. She has a shovel in her hand, and she's shovelling it. I tell you, when she goes on about taxpayer-funded advertising—she literally has a shovel in her hand. It's most interesting. So it's, "Do as I say and not as I do." So we know what happens when these folks are breaking the rules. Oh, my goodness, there's another picture of Madeleine Meilleur on page 8. I say to Madeleine's office, if you're watching: si vous regardez la télé, si vous regardez la controverse du projet de loi, du débat aujourd'hui, c'est absolument terrible.

There's another one. Right below the fourth picture of Madeleine Meilleur, there's a picture of George Smitherman, Minister of Health. Isn't it funny how there's not a single picture of a member of the opposition, just members of the government?

**Mr Leal:** John, you had your own publication last fall.

**Mr Baird:** I've never complained about it, so at least I'm consistent. At least I'm not a hypocrite.

That is the Trillium News, by the culture critic.

#### *Interjection.*

**Mr Baird:** I'm going to go on.

They haven't put any pictures of the member for Nipissing, so she must be getting angry that they don't put her picture in anything.

Gerry Phillips must be mad that they broke it again but, by God, heads must have rolled at Management Board, and you say it'll never happen again. It happened again. Just this month, April 23, another picture on the front page in four colours—a smiling picture of the Chair of Management Board on this advertisement. They printed up thousands of them. My information says they printed up 80,000 of these four-colour—a very nice bond quality, not the cheap newsprint. They're distributing them around the province, tens and tens of thousands of them, with Gerry Phillips's picture on the front.

I say, Gerry, is this the same man who tabled this bill saying there will be no more pictures of members of the executive council in these government publications? Shame, shame, shame. Gerry Phillips has broken his own law again.

We could balance the budget. We could have a jar to put on the clerks' table, right next to my good friend Doug Arnott—we could put it right there—and you could put a dollar in every time you break this law. Just from my short 12-minute speech, we'd already have raised about \$12 toward balancing the budget, which would be good for this year. Because Gerry Phillips—again, a full-colour front page. There's no member of the opposition in any of these.

This is what the public most despises about the McGuinty government: they breed cynicism in politicians. They say they'll do one thing before election day and do another afterwards. There were pictures in some publications of members of the executive council, and we were not critical of that in the past, so I'm just looking to hold the government of the day accountable.

I know Gerry Phillips will want to personally have the Liberal riding association pay back the taxpayers. They made tens of thousands of copies of these things—absolute propaganda—with Gerry Phillips's face on the cover. I guess he was mad that Dalton got his face on the cover once. I will say the picture of Dalton is nicer. It's got a flag, and he's smiling. Gerry is not smiling that much. I don't have a problem with Gerry putting himself on the front of this, but I just think it violates his own act. Gerry, if you are watching, you must be embarrassed. You must stop this propaganda machine. "Say as I do, not as I say."

But it doesn't end there.

**Mr Dave Levac (Brant):** What did you do, John?

**Mr Baird:** I didn't criticize this; that's what I didn't do.

**Mr Levac:** Do you like the bill?

**Mr Baird:** I'm just saying that I would like to see the government follow its own law.

Right now there is an exhibition for people considering construction careers going on until tomorrow afternoon at the National Trade Centre at the CNE. I wish the Minister of Training, Colleges and Universities, who I know is in the other room—you should come back in,

Mary Anne, because you're going to be talked about next. Ontario has a booth there to try to recruit construction tradespeople, and there is a big quote and the name of Mary Anne Chambers on that. I can just see that some young person going into construction really needs to hear from the Minister of Training, Colleges and Universities, and that quote, with her name in big, bold lights, is probably going to make them want to pursue a career in the trades. So there again, the Liberals are breaking their own word.

We're just getting started. We could go on and on and on. I say to the member for Pickering, you must be embarrassed to see all this stuff after the speech you just gave.

I was also interested to notice, when I went back to my constituency, as I do every week, and I was reading my constituency newspapers—I represent a riding that is a little bit less than half rural. We have a lot of community weeklies in my riding and every single one of them had the same ad, talking about this government's new policy on water regulation. When there was bad news, they blamed the water regulation on the previous government, but when they were trying to tout it as a new environmental accomplishment, they were out in each and every one of these publications. They were placing paid advertising to tout what a great record they have on water quality and the environment. I have no doubt that would have been put on the spend-o-meter of advertising that the Liberal rat pack used to keep, so I know they would want me to raise that.

I am discouraged by two points in this bill. Two additions that would make it better are that it should cover image consultants as well; not just paid advertising, but it should cover image consultants, because if we could have included the \$25,000 of taxpayer-funded money that Dalton McGuinty spent going down to Bill Clinton's image consultant in Chicago, it would have been interesting to see what the Provincial Auditor would have said about that. Bill Clinton had an image consultant—

**Mr John Wilkinson (Perth-Middlesex):** Do you want to talk about image consultants?

**Mr Baird:** I never spent \$25,000 on an image consultant. At the time this was released—they did an image makeover for Dalton—I asked that a value-for-money audit be done on it because I don't think the taxpayers got value for money. There was no value-for-money audit.

*Interjections.*

**Mr Baird:** I've really riled them all up over there. They should get on the speakers' list over there. But the advertising bill should include money for image consultants, particularly American ones who work in Chicago.

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I thought, well, did Dalton and his staff just jump in the van and drive to Chicago? It's not too far. That's what families from Welland would do, wouldn't they, if they were going down to Chicago?

**Mr Kormos:** We don't cross-border shop. We buy Canadian.

**Mr Baird:** They buy Canadian.

But, no, they flew first-class down to Chicago. It's only an hour and 10 minutes, the flight, but Dalton flew first-class down to Chicago. I thought that was quite something. So I'd like to seek an amendment to this bill to ban taxpayer-funded image consulting that is done in the United States. As the member for Niagara Centre says, if you want to do it internally, we'd maybe give an exemption for that.

I would like to point out another section of the bill, and the member for Niagara Centre should listen to this, because the member for Niagara Centre got on this one very quickly. Section 2 of the act puts an exemption, and this one is a great one. This is what the member for Niagara Centre would call the Mack truck exemption. I did watch with interest the speeches before I got up, the speeches by—who was speaking before? Not just my friend from Pickering but—

*Interjections.*

**Mr Baird:** No, it wasn't him.

**Mr Leal:** Mississauga.

**Mr Baird:** Mississauga. I listened. He read quite a good speech that someone—did you write it? I think one of those two wrote it over there. Anyway, it talked about an exemption where, and I'm going to quote, "the primary target audience is located outside of Ontario."

The member for Niagara Centre would call that the crack cocaine of advertising loopholes, because what this will allow Dalton McGuinty to do is to run advertisements on Buffalo TV, on Rochester, New York, television, on Detroit television, marketing Ontario, which just happens to flood the airwaves in Ontario. I used to see those advertisements with Ernie Eves on them, or Mike Harris, and Dalton McGuinty said he was going to end that. I'll tell you, the Liberal double-speak, where virtually 99.9% of advertising dollars that went out on television could probably—put it on CNN so that when people in Ontario watch CNN, they'll find out how great everything is in Ontario.

The Chair of Management Board talked about—

*Interjections.*

**Mr Baird:** That's tourism advertising. I don't travel to Florida because I think they have a good governor. I don't travel to California because I think they have a good governor. So it's something interesting and funny.

They have left in the bill the Mack truck of loopholes, and I'll tell you, that would make Mike Harris blush. Mike Harris wants an apology for all the criticism that was made of his advertising, because obviously it's endorsing Mike Harris.

I do love that they are going to let the Board of Internal Economy, as was reported by my friend from Pickering, be the deciding voice. The Board of Internal Economy has a 4 to 2 majority for the Liberals, so the Liberals will be able to do everything they want.

*Interjection.*

**Mr Baird:** I say to the member for Nipissing, Peter Donolo's contract will not be covered by this. Peter Donolo is a prominent Liberal who got an untendered contract like that, as soon as the Liberals took power.

*Interjection.*

**Mr Baird:** Oh, it was tendered, but it just happened to be that Jean Chrétien's right-hand man, John Manley, gave a tendered contract to Jean Chrétien's left-hand man, Peter Donolo. What a coincidence, I say. Of course, this is only the beginning of the Liberals' regime, so it's quite interesting.

I would understand why the Liberals are cackling behind me, because they're embarrassed because their party is not fulfilling another election campaign commitment. They're breaking promises.

Another amendment I'd like to see to this bill would be to include the federal government. The federal government has some unique advertising practices, as was reported by Chuck Guité. I'm talking about the sponsorship program. I can remember these Liberals would be so smug and arrogant about how they're going to be in government everywhere. I'll tell you, when Stephen Harper becomes Prime Minister of Canada he's going to do great things and he'll smarten up these smug Liberals here at Queen's Park. I say to those people watching—

*Interjection.*

**Mr Baird:** Joe Clark, you can have him. I say to the people of Ontario watching, you will get an opportunity soon to pass judgment on the sorry record of the Liberals here at Queen's Park and you can vote Conservative federally. I think that is something that will be most interesting. When Stephen Harper takes his message of accountability to taxpayers, the people of Ontario will find out what real accountability is all about, and they are going to be held to account. And just as Stephen Harper did well in the leadership in Ontario, he is going to do very—

*Interjections.*

**Mr Baird:** Stephen Harper is going to do well in Peterborough, I say to the member for Peterborough. I think he will. I think he's going to win Nepean-Carleton. You bet your boots, I do. I think we're going to win many seats.

*Interjections.*

**Mr Baird:** If you want to talk about Nepean-Carleton, our candidate Pierre Poilievre is running and putting advertising out as well, and he puts a picture of me in his advertisement. He wants to show that he's got a lot of support. Pierre Poilievre will be a great Conservative MP in Nepean-Carleton. We'll have a good Conservative member for Peterborough. That will be helpful as well. I say to my friends from eastern Ontario, the Liberals are going to have a minority of seats on our side of Kingston by the time the election rolls over. We've got a great candidate who is running. Gord Brown is going to advertise. He's going to run in Leeds-Grenville. We've got a great candidate. We've got two sitting members of Parliament seeking re-election. We've got a great candidate in Stormont-Dundas-Charlottenburgh. I tell you

that we're going to surprise a lot of people. I'm surprised the Liberals wouldn't have wanted to make some reference to federal advertising or federal sponsorship in this act. Because Jean Chrétien and Paul Martin—

**The Deputy Speaker:** The member from Nepean-Carleton, I too, would like to hear some words about advertising and Bill 25.

**Mr Baird:** I would like to see federal advertising and federal sponsorship covered in this legislation as well. I think that would be a good idea—like the money going to Groupaction. Why wouldn't that be covered in the bill? That money comes from Ontario taxpayers and is robbed from our hospitals to go to Groupaction. We saw Chuck Guité come forward at the federal public accounts committee and talk about how Terrie O'Leary, Paul Martin's right-hand woman, was directing advertising to go to firms with Liberal ties, like Earnscliffe. So I think that was interesting. It will be interesting to see if they entertain amendments to this bill in committee. But we will see.

*Interjections.*

**The Deputy Speaker:** Order. The member for Nipissing, come to order, please.

**Mr Baird:** The member for Nipissing should get time to speak, she's got so much to say on this issue.

One concern I do have with respect to advertising is a serious issue with respect to federal-provincial relations. One of the previous speakers—I think it was my colleague from London-Fanshawe—spoke about advertising beside highways on highway construction. I had a constituent come up to me once—this is the honest-to-God truth—and say, "How come the provincial government isn't putting money into our highways?" I've had other, similar experiences. One story that I'm familiar with is they said the federal government is putting all that money into the TransCanada Highway. "Why isn't the Ontario government doing any?" I said, "Where's this?" And they said, "Well, you know, the TransCanada Highway, Highway 401, the Macdonald-Cartier Freeway, named after two Fathers of Confederation." And I said, "Wait a minute. That's not the feds putting that money in. That's all Ontario taxpayers' dollars, because the feds aren't putting any money into Highway 401."

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So you bet your boots Ontario taxpayers should know who's paying and who's not paying, and that Jean Chrétien and Paul Martin and the federal Liberals have sold Ontario out. Taxpayers should know who's paying for what, so they'll know who's not paying. So that's something that I understand they're sensitive to.

I'd like to see a little bit of government advertising for public transit, because in Ottawa we're not getting any funds for public transit from the McGuinty government. All of our taxpayers' dollars are going to fund the Toronto Transit Commission. The Minister of Transportation is here. He made an announcement on, like, December 23 in the middle of the night about funding for the Toronto Transit Commission because they were embarrassed they were giving so much money to Toronto

and no money to Ottawa. I say to the Minister of Transportation, I'm going to keep up this battle until you give funding for transportation in Ottawa to OC Transpo. I'm going to keep up the fight, and eventually you will have to back down. You will have to give Ottawa some funding for transportation because Norm Sterling and I are going to continue to fight until you give in, until Dalton McGuinty realizes he's not just the Premier of Toronto, he's also the Premier of the rest of Ontario. We're looking forward to it.

I agree with the Liberal Party candidate who ran against me in the 1999 election in Ottawa on what, for those of you not from Ottawa, is called the O-Train. I call it the Zero-Train. But our mayor, Bob Chiarelli, has this crazy idea of having these dirty diesel trains going on existing tracks. Let me tell you about the O-Train and why I'd like to see government advertising in the transit system, as was referenced by the member from London-Fanshawe. I'd like to see government advertising so we would know if taxpayers are going to pay for this boondoggle.

Let me tell you about the O-Train project and why we might need some advertising about how bad it is. You have to drive to a parking lot in an area of suburbia which is not of high growth. You then take the train, which is diesel-powered, and you get off at a dirty, contaminated landfill site and then wait for another bus which takes you into the city. I don't think that's a good use of taxpayers' dollars. I agree with the former Liberal candidate who ran against me in 1999 that it's not a good use of taxpayers' funds. It's a Bob Chiarelli legacy issue. I say to the Minister of Transportation, if you're going to give the money, give it for public transit, the buses, not the Zero-Train, because your Liberal candidate had it right in Nepean-Carleton in 1999 on that issue, and that's a huge concern with me. Perhaps if there was some advertising—there used to be advertising on the buses: "The operation of this transit system is financially assisted by the government of Ontario." You don't want to put that on the Zero-Train in Ottawa.

I say to the Minister of Transportation, I hope I'm getting somewhere in this fight, because we're going to get you to back down and give some money to Ottawa eventually. Norm Sterling, the member for Lanark-Carleton, and I are going to keep up our fight, because we don't hear anyone standing up for Ottawa around here. We don't hear anyone standing up for Ottawa. Not a squeak. Ernie Eves, at the end of our government, had one full minister from the 416 area code; this government has eight. That's an 800% increase in the number of full ministers from the city of Toronto.

**Mr Levac:** Hear, hear.

**Mr Baird:** The member for Brant cheers the lack of representation in his part of the province. I think it's shameful.

But in addition to having eight powerful ministers from Toronto, which includes the big spenders—health and education—the riding of the next big spender, the Minister of Transportation, borders 416. And we wonder

why money keeps going to Toronto. Maybe we should advertise where the money is going, so that people in Ottawa will realize that our taxpayers' dollars are going to Toronto and not Ottawa.

*Interjections.*

**Mr Tascona:** On a point of order, Mr Speaker: I'm right behind the speaker and I can't even hear him, for the comments made by the other members. Can we have a little bit of decorum here?

**The Deputy Speaker:** We certainly can have some decorum if the speaker will stick to Bill 25.

**Mr Baird:** So I am tremendously disappointed that they don't want to put advertising about where taxpayers' dollars are going because then people in Ottawa would find out that the government of Ontario isn't spending money any money on public transit in Ottawa. All the money is going to Toronto. Mississauga wants some money. Brampton wants some money for transportation too, but it's all going to Toronto. I see the member from Hamilton here. No big announcements on transit in Hamilton, because it's all going to Toronto. Toronto is a fantastic city. We want to ensure that its needs are taken care of, but the member for Kitchener-Waterloo wants some money for transportation too, but he can't speak up. He is being muzzled.

**The Deputy Speaker:** Member for Nepean-Carleton, you and I are going to share the floor until you get back to Bill 25, please.

**Mr Baird:** So that is the notion. I believe we need to advertise where taxpayers' dollars are spent so that people will know. Otherwise, the taxpaying public has no alternative but to tune in to the parliamentary channel and listen to me tell them where their taxpayers' dollars are spent. Sometimes, if you don't advertise, we leave it to the politicians to tell us.

I'd say we haven't heard any advertising going on about transportation investments in Ottawa because they can't do any, because they haven't made any investments. I feel badly for my friends Madeleine Meilleur and Jim Watson. They are struggling against the 416 wave, and if we could do advertising, that might help. Thus far we have not been able to do that advertising, but I am sure that Norm Sterling and I will eventually prevail and we will force this government to do the right thing and to make some transportation investments in Ottawa. I'd be happy to advertise that.

Let's recap, re-look at this whole issue. I will make some concluding remarks and then viewers will be able to listen to the member for Barrie-Simcoe-Brampton speak to this bill. The Liberals are saying one thing and doing another when it comes to government advertising. They have adopted the Liberal Party colours for the government brochure. This isn't, like people say, "just a few hundred brochures." It's going to 60,000 people. They just, by pure coincidence, changed the colour to be Liberal Party red. It was just a coincidence. The Liberals win a majority government and they change the colour to red; it's a pure coincidence. Smiling pictures of Dalton McGuinty, talking about how nice he is to people. Self-

serving advertisement. And this is by Management Board, the gatekeeper to this bill. Gerry Phillips should be embarrassed. He should be ashamed. He should stand in his place and he should apologize, not just to me, not just to the taxpayers, but he should apologize to the rest of his caucus for embarrassing you the way he has done this.

It's not just once; he did it again—another taxpayer-funded photo with a picture of a member of the executive council, against section 3 of this act. If advertising with a picture of a member of the executive council was a capital crime, Gerry Phillips would be off to the gallows. The people who preach one thing when they are sitting on this side of the House should be pretty careful that they don't think we'll throw it back at them when they walk to this side of the House, because it's only four metres from this side of the House to that. But it might as well be a million miles when it comes to the consistency of these Liberal ministers.

So we know that they have adopted Liberal Party red on all sorts of government-paid advertising.

*Interjection.*

**Mr Baird:** On OPG, I'm pleased that you have appointed a former Mulroney minister to be chair of OPG.

**Mr Leal:** Jake Epp's a great guy.

**Mr Baird:** Jake Epp is a great guy, the guy that I called in to clean things up. So you have appointed a former Mulroney minister to be the head of Ontario Power Generation. I congratulate you. In all seriousness, I think Dwight Duncan and the Premier and the government have made a phenomenal move on that. He is an exceptionally capable individual who will do a great job for taxpayers. He got a lot of experience working for Brian Mulroney. I know the minister of tourism would be particularly excited about that. We're pleased to see that. It's a good appointment.

I'm glad you brought up OPG, but I'm going to get back—

**Mr John Milloy (Kitchener Centre):** What happened to Deb Hutton at OPG?

**Mr Baird:** Deb Hutton never worked at OPG; you're wrong.

I'm going to come back to Topical. They've changed the colour to official Liberal Party red. Management Board—I hope heads are rolling over there. Are you watching? They adopt Liberal Party red. "It's a coincidence," they said.

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Second, they break the section prohibiting pictures of a member of the executive council—the smiling picture of Dalton McGuinty. He's got a nice smile on his face. He has the flag on, so he looks very presidential, right on the front page, top fold; not just once, but they did it twice. Gerry Phillips's own picture went on the front in full colour. They've even improved the bond quality on this paid advertising. Madeleine Meilleur is a very attractive minister in all eight of the photos in this. She's profiled, and there's a nice story written about how great

she is, in this paid advertisement from the government. You go down to the convention centre and see all the stuff about construction careers, with big quotes, mounted with big lights on them, the Minister of Training, Colleges and Universities.

People will look at this bill, then they'll look at your record and they'll be absolutely outraged that you are breaking another promise. You're breaking another promise that you made to the people of Ontario. This has been exposed as being a cheap political stunt. You've embarrassed Gerry Phillips. He's so embarrassed he couldn't even sit here, because he knew I had these publications. I don't blame him for not being here. The poor man was embarrassed because your communications machine let him down.

**The Deputy Speaker:** The member will remember we don't talk about other members' absences.

**Mr Levac:** On a point of order, Mr Speaker.

**The Deputy Speaker:** I think the point of order has been taken.

**Mr Baird:** They've had members of the cabinet who are afraid to be here, face the music and defend their actions. I don't blame them at all.

*Interjection.*

**Mr Baird:** I understand it's a sore point, I say to the member for Barrie-Simcoe-Brampton.

When the NDP come and speak next, I hope they talk about the big glossy pictures of Howard Hampton wearing a nice sweater. I do have a copy of it.

**Ms Jennifer F. Mossop (Stoney Creek):** What colour is the sweater?

**Mr Baird:** The sweater is beige and it's got a nice pattern on it.

**Ms Mossop:** Do you have it in your office?

**Mr Baird:** I don't have it up in my office.

*Interjection:* Do you have a sweater like that?

**Mr Baird:** I don't. I don't wear sweaters too often.

**Ms Mossop:** He's not a sweater guy.

**Mr Baird:** I'm not a sweater guy—exactly—I say to my friend from Stoney Creek.

I'm going to push for amendments to this bill. I'm going to push that political image consultants from the States be covered in this bill, so that Bill Clinton's image consultant, who advised Dalton McGuinty on how to comb his hair—I still think there should be a value-for-money audit done of Dalton McGuinty's makeover.

*Interjections.*

**Mr Baird:** They're so arrogant now. It took us years to get that arrogant. It took us five or six years to become that arrogant. All I'm saying is, why hasn't Paul Martin called the election? Despite all the advertising he's been doing, he's afraid to call the election because he knows Ontario voters will have their first opportunity to pass judgment on the provincial Liberals—down 11%. The dog catcher in Nepean has a higher popularity rating than the Premier does.

**Mr Milloy:** What about Joe Clark?

**Mr Baird:** What if Joe Clark's popularity rating isn't as high either, I say to member for Kitchener?

I do hope the government will consider these amendments. I will also present an amendment which I will call the Group Action amendment, to stop money going to Liberal campaign people like Peter Donolo, who got a paid contract. Jean Chrétien's left-hand man gives the right-hand man a contract. My goodness. And it was tendered. Honest to God, it was tendered. Does anyone believe that? We're finding this information out. They won't release a lot of information.

We will continue to push for amendments to this bill. We're going to be informed now by my hard-working colleague from Barrie, who's going to give a great speech. Another individual, another Conservative, Patrick Brown, will be elected in Barrie to fight for Ontario taxpayers in the federal election. I hope he'll talk about Patrick.

**Mr Tascona:** I am pleased to follow the member from Nepean-Carleton. I think he set out very clearly what his position was on Bill 25, in terms of what he thought about that. But I think what's important is it's called the Government Advertising Act, 2003, but what we've been hearing all day today in the debate is about partisan political advertising. The purpose of the bill is to provide for a review by the Provincial Auditor of specific types of advertising generated by government offices, as defined in section 1 of the bill. I looked at section 1 of this bill and I didn't see anything with respect to advertising. What we have here is, it defines what a government office is, it defines what an item is and it defines "prescribed." I didn't think they'd have to define "prescribed," because it's fairly obvious what "prescribed" means. To the general public, it just means "regulation." But there is no definition of what advertising is, and I think that's kind of important. There's going to have to be an amendment as to what advertising is, because they're talking about partisan political advertising throughout this bill.

The bill supposedly establishes an independent review of government-based advertising, as the Liberal government believes this is an abuse of the public purse. That's the premise behind this bill. The issue, even with this legislation, will be how the line will be drawn between advertising that does not offend the legislation and advertising that offends it, even though we don't know what advertising is, because that hasn't been defined. The application of the criteria will still be subjective.

That's what's interesting about this bill, because there are standards under section 6 of the act. It says, "The following are the standards that an item is required to meet." That's why they defined "item." "Item" means a reviewable advertisement, reviewable printed matter or a reviewable message, as the case may be." So "reviewable" means what the auditor can look at. It goes on to say that the item, "must be a reasonable means of achieving one or more of the following purposes," but what is more interesting is it goes on to set out what would be the standards.

The substance of the bill is under sections 2, 3 and 4, which deal with advertisements, printed matter for bulk

delivery and other classes of messages, requiring them to be given to the Provincial Auditor for review. If the matter is urgent, affecting public health or safety or the provision of goods and services to government offices, it does not have to be submitted. Thus begins the subjective question as to whether these expenditures apply.

Looking at the standards set out in the legislation—and the member from Nepean-Carleton pointed out specifically the Topical that just came out. The Topical is news and information about the Ontario public service and it's published by the Management Board Secretariat. In other words, it's published and paid for by the Management Board Secretariat. In this one—this is the April 23 edition, and I think he pointed it out—the heading was "Government Leads by Example to Reduce Energy Consumption," and then there's a very nice picture of Management Board Chair Gerry Phillips in this Topical, which is given to the public service.

What I want to do is look at this and see whether it satisfies the standards that are set out in the legislation. I'm going to deal with standards 2 to 5, because it certainly would appear to match and satisfy the first standard: "It must be a reasonable means of achieving one or more of the following purposes." I guess it would satisfy subparagraph i, "To inform the public of current or proposed government policies, programs or services available to them." So when the government says, "Government Leads by Example to Reduce Energy Consumption," certainly that's a government policy. We'll give them that.

The second standard is, "It must include a statement that the item is paid for by the government of Ontario." So when it says, "published by Management Board Secretariat," I guess in spirit it might satisfy that, because you would have to presume, even though it doesn't say that expressly, you would have to say it implies that it must be paid for by the government of Ontario. It doesn't say that as a statement, so it wouldn't satisfy standard number 2, because it doesn't expressly say it's paid for by the government of Ontario. Implicitly it does, because they publish it.

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The third standard is, "It must not include the name, voice or image of a member of the executive council or a member of the assembly." Obviously, it fails that, because we have a picture of the Chair of Management Board; we've certainly got his image, if not his picture. So this wouldn't satisfy the third standard.

The fourth standard: "It must not be partisan." I don't know what "partisan" is, because it's not defined in the legislation, but I guess that's subjective too. If you are trying to promote your policies, I guess that's viewed as partisan, and if it's not in the public interest—I guess where it's a balancing act is, does it promote the government policies; is it in the public interest? I think that's probably under the first standard as we deal with it. But it must not be partisan. Who knows what that is? It's going to be up to the auditor to make that decision.

The fifth standard is, "It must not be a primary objective of the item to foster a positive impression of the

governing party." Now, there you go. Maybe that's why they shouldn't have 4 in there, "It must not be partisan," because there's no doubt when you look at this, "Government Leads by Example to Reduce Energy Consumption," that the primary objective of that certainly has to be fostering a positive impression of the governing party. There is no doubt about that. That's the purpose of this Topical with respect to Management Board: "Government Leads by Example to Reduce Energy Consumption." Obviously, the primary objective is to foster a positive impression of the government. I would say it does that not only by the picture of the Management Board chairman with the people surrounding him, but also by the headline. So certainly when you apply the standards to the Topical—if in fact that is going to be covered by the act, and that's debatable—it wouldn't meet the standards set out in section 6 of this legislation.

When you look at this, what would the Topical fall under? I look to the sections of the act that apply. Section 2 of the act: "This section applies with respect to any advertisement that a government office proposes to pay to have published in a newspaper or magazine." Obviously, I would say, looking at the Topical, it would fall under that. But then you'd get into a debate, because the government would say, "This is not an advertisement."

Well, if this isn't an advertisement, certainly it's government information trying to foster a positive image with respect to what they're doing, so you'd have to go to section 4, which says, "This section applies with respect to such additional classes of messages as may be prescribed," which means set out in regulation, "that a government office proposes to convey to the public in such circumstances as may be prescribed." Certainly, Management Board is a government office—there's no doubt about that—and the section applies "to such additional classes of messages as may be prescribed." So if the Topical doesn't fall under section 2 because it's not an advertisement, certainly it would fall under section 4, if the government chooses that it should fall under section 4 in terms of the spirit of what's going on here. What it's trying to do is convey a positive message of what the government is trying to do through government-paid information.

Since we don't have a definition of what advertising is, and if this Topical falls through the cracks, what we have here is contrary to the spirit of Bill 25, which is designed to stop partisan political advertising. I wouldn't say advertising; I would say partisan political messaging. That's what we're talking about here, because what the act is really dealing with is messaging put out by the government. It's not restricted to just advertising, because when you go to the definition of an item, it means "a reviewable advertisement, reviewable printed matter or a reviewable message." It's much broader than advertising. So it's not misleading, but certainly it's designed to deal with advertising, printed matter—which the Topical is; it's printed matter—or a reviewable message.

For this to get covered, it has to be reviewable, so it would have to be covered by section 4, if and when the government decides to put out the regulations for what kind of messaging or printed material is going to be covered, because there's no doubt that this is designed to convey a positive image of what the government's doing with respect to energy consumption.

In my view, when you look at the standards being set out in the statute, when you're putting a picture of a member of the executive council where the primary objective of the item is to foster a positive impression of the governing party, and you know that this item is paid for by the government, certainly that has to be covered as reviewable or printed matter with respect to a message that should be covered under this legislation. I would hope that's going to stop once the legislation is passed.

Moving on with the legislation, you have subsection 5(2), which establishes that "the decision of the Provincial Auditor is final." Therefore, there is no recourse under the legislation for those who disagree with the auditor's decision. How does this affect the jurisdiction of the advertising council, especially when you look at the fact that the Provincial Auditor has no real enforcement powers under this act beyond a reference in the auditor's annual report?

Section 6, as I set out before, sets out the standards and the meaning of partisan advertising, printed material or messaging. The bill, I would say, deals with regulating or banning the promotion of partisan political interests of the governing party. That's what it's really intended to do, but it does not specifically address advertising which attacks the opposition. There's nothing in that statute that will cover that off. The statute deals with partisan political interests of the governing party, whether it's advertising, printed material or messaging. It does not deal with specific advertising which attacks the opposition. That certainly should be covered under any amendments.

Section 8 gives the government the authority to revise the material in question and resubmit it.

Section 9 requires the auditor to include the functioning of this act in the auditor's annual report. There is also the power to make special reports.

Section 11 governs the immunity of persons who publish, display, broadcast or distribute material which comes under this act where it has not been approved for distribution. That's a peculiar section. I don't really know why that's in there. How are you supposed to have accountability if you make the individuals who are doing this immune from any action? It's almost similar to the Adams mine legislation, which gets rid of any proceedings. It's very similar to that. It says, "No action or other proceeding shall be brought against the person who conveys to the public on behalf of a government office a reviewable message on the sole ground that, under this act, a government office was not permitted to convey it to the public." That gets into the lack of teeth and actually any enforcement powers that are given to the auditor or to the advertising council.

Section 12 gives the government authority to enact regulations dealing with virtually all matters set out in this bill.

Section 13 amends the Audit Act to provide for the appointment of an Advertising Commissioner to perform such duty as may be delegated to the commissioner, such as powers to be exercised by the auditor under the act.

Really, the only check on this situation is the auditor putting information in his report. There are no other checks or balances with respect to dealing with the government when they put out improper information that's not allowed under the act—or the people who print it for them, who are given immunity.

The framework of the legislation, the real substance of it, will be contained, in my opinion, as I said before, in the regulations. An amendment should be sought to ensure that such regulations are tabled in the Legislature, prior to coming into force so that they can be the subject of a full discussion. I think that's fair. It's been done before. I think the Minister of Consumer and Business Services has done that in some of the areas he's covering with respect to consumers.

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The role of the Advertising Commissioner is not well defined in terms of the process of appointment and the terms of reference of the position etc. With no appeal from the decision of the auditor, there is no recourse should the opposition disagree with the decision. Who are you going to go to? Are you going to go to the Speaker? Maybe your only recourse is to go to the Speaker with respect to the privileges of the members being infringed by the government with respect to this legislation.

Will the government utilize the exemptions from this review process, as set out in clauses two, three and four, for virtually all government messaging to the public? That's a question. Does this prevent advertising on a US channel received in Canada? It doesn't. That's a total loophole with respect to using a US channel to convey positive messaging with respect to the government.

I would note that subsection 6(2), "Advertising outside Ontario," says, "Paragraph 3 of subsection (1) does not apply with respect to an item for which the primary target audience is located outside of Ontario." That section is where the advertising includes "the name, voice or image of a member of the executive council or a member of the assembly." So obviously, the Premier would be allowed to present the message outside of Ontario; for example, where he's going to try to promote tourism to the state of New York. I know the members opposite were quite critical of our government with respect to Mike Harris in terms of any advertising that was done to promote tourism with respect to the United States. But that doesn't address the fundamental loophole that's been put in here, where it doesn't prevent advertising on a US channel or, we'll say, a provincial channel, whether it's in Quebec or Manitoba, that's received in Ontario or received in Canada. Subsection 6(3) really doesn't close

down any loophole. That's a major loophole with respect to promoting government interests.

I'm finished at this time.

**The Deputy Speaker:** Questions or comments?

**Mr Kormos:** I listened very carefully to the remarks of the member for Nepean-Carleton. He persisted in making reference to the poster of one Howard Hampton. The member for Nepean-Carleton was familiar with the clothing and with the texture of the clothing. It was a sweater, I'm told.

I scurried, as I'm wont to do from time to time, down to our suite of offices and I scoured Mr Hampton's office looking for this poster. I came up with all sorts of posters and Howard Hampton, [www.publicpower.ca](http://www.publicpower.ca). I discovered posters of Howard Hampton that were used in the last provincial election campaign, with of course our Web site, [www.publicpower.ca](http://www.publicpower.ca). I saw the posters of Howard Hampton that were used in the pre-election period, again with the Web site [www.publicpower.ca](http://www.publicpower.ca). So I went to the [publicpower.ca](http://publicpower.ca) Web site. There were yet more pictures of Hampton and there were NDP positions on retaining public services, on investing in public education, on investing in public health care at [www.publicpower.ca](http://www.publicpower.ca). I couldn't find the poster though.

I persisted in going through [www.publicpower.ca](http://www.publicpower.ca), and I saw the NDP policy position on a number of issues. I was impressed at how profound and practical they were—real solutions, and really, solutions for the future, not solutions of the past. I reflected on the fact that in the last election people in Ontario voted for change and ended up getting more of the same.

The poster of Howard Hampton, [www.publicpower.ca](http://www.publicpower.ca)—I encourage people to take a look at the Web site. For the life of me, I don't know what the poster is that the member for Nepean-Carleton was referring to. If I had the poster, I would have shown it to you. I would have flaunted it, in fact, but here I am, with just [www.publicpower.ca](http://www.publicpower.ca). Take a look yourself.

**Ms Monique M. Smith (Nipissing):** I rise in support of An Act respecting government advertising. I believe this is something that we ran on and something that the people I met at the door were very concerned about. People at the door in Nipissing were very tired of getting the propaganda in their mailbox that the previous government provided. It was nothing short of propaganda for their—

*Interjection.*

**Ms Smith:** I'm sorry. I'm not supposed to hold up props. You're right.

But I would like to address some of the props that the member for Nepean-Carleton addressed. He spoke about Topical, which is in fact a publication put out by Management Board Secretariat—

*Interjection.*

**Ms Smith:** I'm sorry, Mr Tascona. You probably referred to it as well, but I'm hoping you weren't as colour-blind as the member for Nepean-Carleton.

**Ms Mossop:** It's purple.

**Ms Smith:** It is definitely purple. This is not red.

The publication is put out by Management Board Secretariat and is news and information about the Ontario public service. It is put out for the public service to provide them with information about what's going on in the public service, including JOBmart, which provides postings for jobs. It is not printed in red. It is not government propaganda. In fact, the only picture of the minister in this particular edition that I'm looking through is of the minister talking about his energy consumption initiative, which is an initiative of this government that the public service has been asked and encouraged to participate in.

**Mr Tascona:** I highlighted that.

**Ms Smith:** Oh, which you highlighted. Thank you, Mr Tascona. That's very kind of you.

I would just address the member for Nepean-Carleton and his concerns and say that I find it appalling that he is opposing this legislation.

**Ms Mossop:** You feel sorry for him.

**Ms Smith:** I do. I feel sorry for him because he's colour-blind, but I'm also appalled at the blindness he has about his own propaganda. He was very proud of his picture in one of these brochures, and I think he should be embarrassed that his government put this out and that he would in any way compare it to legitimate literature that our government is putting out for our public service.

**The Deputy Speaker:** I said government literature shouldn't be flaunted.

**Ms Smith:** He was also very keen to talk about pictures of members, and I would just note that there is a picture of one of his fellow members in the Citizen today that he wouldn't be terribly proud to have drawn our attention to. So I would thank the other members—

**The Deputy Speaker:** The member's time has expired. Questions or comments?

**Mr Levac:** I want to thank the member from Barrie-Simcoe-Brampton, who always does his best to try to stick to the topic. I appreciate when he does that. On the other hand, the member from Ottawa-Nepean-Carleton—I think I got that wrong, but as best I can—basically tried to inflame the rhetoric and pushed it out there to the degree that I was quite prepared to stand and use the standing orders where it says quite clearly in the rules of debate that a member shall be called to order by the Speaker if he or she "makes allegations against another member, imputes false or unavowed motives to another member, charges another member with" deliberately issuing a falsehood. I took the time not to do that, Speaker, because I know that in one case you ruled on it.

Other than that, I want to make a point about this: The people want this legislation; It's as simple as that. They are very much aware of the fact that the previous government spent an awful lot of money, approximately \$250 million of taxpayers' money, to build themselves up and to make them look like they were the guys and there was nobody else around.

I want to make another quick point, and somebody needs to remember this one; I loved using this during the election. The government also, during its use of consult-

ants, spent—get this one—\$75,000 an hour, seven days a week. That's 24 hours a day, seven days a week that \$75,000 was being spent by the previous government on consultants—every single hour. Can you imagine what all of us could do with \$75,000 an hour? Lend me a few hours' worth for my education system. Lend me a few hours' worth for my transportation system. Lend me a few hours' worth for my health care system. Lend me a few hours' worth for the running of this place.

Quite frankly, we are headed in the direction that I know the entire population of Ontario wants us to go, and that's transparent, clean government spending taxpayers' money wisely.

**Ms Deborah Matthews (London North Centre):** I am delighted to speak on this legislation. Every candidate across this province knocked on doors and spoke to people in their ridings. There was not an issue that resonated more with constituents than the foolish spending of their hard-earned money.

I remember being at one doorstep. It was a modest home. The people worked hard for what they had. They asked me to remember them if I got elected and as I governed. They said, "Please remember us. Please remember that when you spend money, you are spending our money."

This legislation shouldn't be necessary. Politicians should spend money respectfully. They should remember where it came from. They should remember who paid the bills. It's just outrageous to me that governments spend money on what are, in essence, political pieces. I'm very proud to support this legislation. I think it shouldn't be necessary. It was made necessary because of the flagrant abuse of the last government. I'm proud to be part of a government that will address the situation.

Whether it's spending on partisan advertising or spending on other items that some would consider to be frivolous and not addressing the issues the taxpayers ask us to address, I am saying to all of us, let's remember the people who put us here. Let us remember the taxes they are paying, the money that we are taking from them to spend wisely for them, not for us.

**The Deputy Speaker:** The member for Barrie-Simcoe-Brampton has two minutes to reply.

**Mr Tascona:** I'm very pleased to respond to the comments made by the members from Niagara Centre, Nipissing, Brant and London North Centre. I'm going to focus on the comments made by the member from London North Centre, and I think I'll quote her. It should be in the Hansard. She said, "This legislation should not be necessary." I just want to remind the member that you're the government. Why is it necessary, if we're talking about government advertising here? You can police yourself. It's like the NHL owners saying to the players, "Protect us from ourselves, because we don't want to pay you those salaries." The government here is saying, "We'll protect the Liberal government from ourselves. That's why we're putting in this legislation: so we don't do it."

I can say the legislation shouldn't be necessary. Don't have any advertising. You won't even need this legis-

lation. That's just quite to the point. So why are you doing it? Because you're policing yourself. At the end of the day, you're going to police yourself with respect to making sure that you don't spend taxpayers' money improperly. That's fair game. I can respect that.

*Interjection.*

**Mr Tascona:** To the member from Brant: Let's be to the point about consultants. You've already hired consultants. I hope that doesn't come back to bite you with respect to how many consultants you end up hiring, because everybody knows that consultants are hired all across the country. So we'll keep that in Hansard. You're

going to have to be careful about what you say about consultants, because you've already hired consultants and you probably will continue to do so.

I helped the member from Nipissing, especially with respect to highlighting this. I think she did a very good job with respect to this. I don't know whether she called this propaganda or not. I'm just pointing out that it was partisan, that's all.

**The Deputy Speaker:** It being past 6 of the clock, this House is adjourned until 1:30 of the clock on Tuesday, April 27.

*The House adjourned at 1803.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Flamborough-Aldershot		Hamilton Mountain	<b>Bountrogianni, Hon / L'hon Marie</b> (L) Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiques et de l'Immigration
Barrie-Simcoe-Brampton			
Beaches-East York / Beaches-York-Est	Tascona, Joseph N. (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative	Hamilton West / -Ouest	Marsales, Judy (L)
Bramalea-Gore-Malton-Springdale	Prue, Michael (ND)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon / L'hon Leona</b> (L) Minister of the Environment / ministre de l'Environnement
Brampton Centre / -Centre	Kular, Kuldip (L)	Huron-Bruce	Mitchell, Carol (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Jeffrey, Linda (L)	Kenora-Rainy River	Hampton, Howard (ND)
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Bruce-Grey-Owen Sound	Levac, Dave (L)	Kitchener Centre / -Centre	Milloy, John (L)
Burlington	Murdoch, Bill (PC)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
Cambridge	Jackson, Cameron (PC)	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Chatham-Kent Essex	Martiniuk, Gerry (PC)	Lanark-Carleton	Sterling, Norman W. (PC)
Davenport	Hoy, Pat (L)	Leeds-Grenville	Runciman, Robert W. (PC)
Don Valley East / -Est	Ruprecht, Tony (L)	London North Centre / London Centre-Nord	Matthews, Deborah (L)
Don Valley West / -Ouest	<b>Caplan, Hon / L'hon David</b> (L) Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	London West / -Ouest	<b>Bentley, Hon / L'hon Christopher</b> (L) Minister of Labour / ministre du Travail
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Elgin-Middlesex-London	Colle, Mike (L)	Mississauga East / -Est	Fonseca, Peter (L)
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Essex	Hudak, Tim (PC)	Mississauga West / -Ouest	Delaney, Bob (L)
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Etobicoke-Lakeshore	Qaadri, Shafiq (L)	Niagara Falls	Craitor, Kim (L)
Glengarry-Prescott-Russell	Breten, Laurel C. (L)	Nickel Belt	Martel, Shelley (ND)
Guelph-Wellington	Lalonde, Jean-Marc (L)	Nipissing	Smith, Monique M. (L)
Haldimand-Norfolk-Brant	Sandals, Liz (L)	Northumberland	Rinaldi, Lou (L)
Haliburton-Victoria-Brock	Barrett, Toby (PC)	Oak Ridges	Klees, Frank (PC)
	Scott, Laurie (PC)	Oakville	Flynn, Kevin Daniel (L)
		Oshawa	Ouellette, Jerry J. (PC)
		Ottawa Centre / -Centre	Patten, Richard (L)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Ottawa-Orléans	McNeely, Phil (L)	Thunder Bay-Atikokan	Racco, Mario G. (L)
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Peterborough	Leal, Jeff (L)		Churley, Marilyn (ND)
Pickering-Ajax-Uxbridge	Arthurs, Wayne (L)		Marchese, Rosario (ND)
Prince Edward-Hastings	Parsons, Ernie (L)		<b>Sorbara, Hon / L'hon Greg</b> (L) Minister of Finance / ministre des Finances
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Stoney Creek	Mossop, Jennifer F. (L)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premiers et derniers numéros de chaque session et le premier lundi de chaque mois.

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No. 38

Nº 38

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

## Official Report of Debates (Hansard)

## Journal des débats (Hansard)

Tuesday 27 April 2004

Mardi 27 avril 2004



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 27 April 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 27 avril 2004

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### AMBULANCE SERVICES

**Mr Tim Hudak (Erie-Lincoln):** Today I would like to address the now third delay announced by the Dalton McGuinty Liberal government in transferring ambulance dispatch to the region of Niagara.

It is playoff season, so people in Niagara are accustomed to talking about hat tricks. But no one likes it when it happens to their team, especially when they're getting shut out.

Sadly, it seems Premier McGuinty's Toronto-dominated cabinet has forgotten that the province exists outside of the city walls. Every time a Toronto-based politician even clears his throat to speak, Premier McGuinty seems to snap to action. Already they've bailed out the city of Toronto financially, they've bailed out the city's transit system under threat of a toll increase and they've bailed out the Toronto District School Board, who could not balance their books if their lives depended on it.

What have rural Ontario and small cities seen to date? An awful lot of broken promises and scads of dollars thrown at Toronto the second a story hits the papers. Issues important to Niagara taxpayers, like the mid-Pen corridor and ambulance dispatch, languish on the desk of some low-level functionary in the Premier's office they call the rural affairs bureau.

Maybe we're too polite in Niagara; maybe we're too polite in rural Ontario. Maybe we naively expect governments to keep their promises. Maybe they want Niagara's mayors and regional councillors to start pounding on their desks instead of being polite.

My message to the Minister of Transportation, the Minister of Health and the Premier is: Our patience has worn thin. No more delays. Get on with the job.

#### WORKERS' MEMORIAL DAY

**Mr Michael Gravelle (Thunder Bay-Superior North):** As all members of the House will know, tomorrow, April 28, has been designated as the official day of mourning for all those who have either lost their lives in the workplace or have died as a result of workplace occupational health and safety issues. The sad thing is that despite our increased awareness of workplace safety,

we continue to lose more people every year. The fact is that since 1984, over 16,000 workers have been killed on the job in Canada, with almost 1,000 of those fatalities occurring last year. Clearly we all need to refocus our energies on improving workplace safety. In that regard, I am proud to note that Ontario's Minister of Labour, the Honourable Chris Bentley, is actively working toward that goal.

In my riding of Thunder Bay-Superior North, the day of mourning has grown in importance every year. This year the public is invited to gather at the Lakehead Labour Centre at 5:30 pm on Wednesday to remember those who have needlessly lost their lives on the job. People are being asked to bring a rose, which they can place on the monument that honours those workers. It is a time of great solemnity, but perhaps more importantly, it will serve as a reminder that we can best honour the memory of those who have lost their lives by striving constantly to improve the conditions of those who have been left behind to carry on their work.

While we set aside this day every year, vigilance and effort is required every day of the year if we are to truly reduce the number of people who are either injured or lose their lives on the job. It is a challenge we must meet.

#### BED AND BREAKFAST OPERATORS

**Ms Laurie Scott (Haliburton-Victoria-Brock):** I rise today to bring forward to the House an issue that is of concern to my riding and also of concern to many people in other ridings across the province. The bed and breakfast operators are considering whether they can continue to operate because of provincial drinking water regulations. Many of these people, who open up part of their homes to guests for only a few days each year, are being classified as small non-residential public facilities for the purposes of the regulations.

Yesterday, I met with representatives of the Federation of Ontario Bed and Breakfast Accommodation and heard first-hand about the impact that regulation 170/03 will have on people who operate bed and breakfasts. In my own riding, I have been in contact with bed and breakfast operators who do not understand why a private resident who occasionally rents a room or two would be classified as anything except residential.

I urge the government to take another look at this regulation and to remember the role that bed and breakfasts have as part of Ontario's tourism industry and the impact that bed and breakfasts have on local economies.

## ONTARIO NORTHLAND TRANSPORTATION COMMISSION

**Ms Monique M. Smith (Nipissing):** I rise today to advise the House of great news for my riding of Nipissing and all of northeastern Ontario. Today the Minister of Northern Development and Mines, Rick Bartolucci, announced that Ted Hargreaves has been named the new chair of the Ontario Northland Transportation Commission.

As the member for Timmins-James Bay and all members of this House are well aware, the ONTC is a vital component of our economic development in northeastern Ontario. This announcement builds on the good news that has been growing with respect to the ONTC. Our government has committed to maintaining the ONTC as a public entity. To that end, we have been working diligently since the election to assure its sustainability and viability.

There have been numerous announcements around the ONTC of late, including an \$80-million contract with GO and a joint venture with Telus. Last week, we unveiled 10 new passenger rail cars that will add to the Polar Bear Express. The excitement around the future of Ontario Northland continues to grow.

Ted Hargreaves brings to the position of chair a wealth of knowledge and community involvement. He has been on nearly every fundraising board in our region over the last 14 years. He has been involved with the heritage festival, the Capitol Centre and Near North Crime Stoppers. For all his community service—and I could go on and on—he's been acknowledged with awards from the Rotary Club, the Paul Harris Fellowship, the Order of Ontario, the North Bay Kiwanis Club's citizen of the year and the keys to the city.

I am sure the members of this House will agree that the Ontario Northland Transportation Commission, the city of North Bay and all of northeastern Ontario could not be better served. I am thrilled by this announcement and the implications for the future of the ONTC.

*Interjection.*

**The Speaker (Hon Alvin Curling):** Are you standing this one down? You will have to ask for unanimous consent.

1340

## SOUTH AFRICA

**Mr Rosario Marchese (Trinity-Spadina):** Today is a day of celebration for millions of South Africans. They will take to the streets to commemorate 10 years of freedom and an end to apartheid. Ontario New Democrats congratulate the people of South Africa for their victory against racism and injustice. They have shown us that racism is a giant but beatable enemy, and their triumph compels us to defeat our own Goliath.

Just two weeks ago, the African National Congress and Nelson Mandela's successor, Thabo Mbeki, won a third landslide victory with two thirds of the popular

vote. In another victory for social justice, almost one third of the parliamentarians elected were women.

South Africans do not have an easy path ahead. They recognize that until endemic poverty and AIDS are overcome, the nation will not truly be free. South Africa carries the strength of an awakened David, and we are certain it will prevail yet again.

## CHERYL GILBERT

**Mr Brad Duguid (Scarborough Centre):** Cheryl Gilbert passed away last week in hospital from pneumonia following a medical procedure. She was 39 years old. Each and every one of those 39 years she had to fight to overcome a number of challenges. She had serious physical difficulties right from birth, but Cheryl Gilbert was a fighter and a survivor.

I originally met Cheryl about nine years ago as chair of the city of Scarborough special committee on crime prevention. She was a victim of violence. She was on a crusade to help others who had been victims of violence recover from the experience. Cheryl helped out with numerous community organizations and with victims-of-violence groups. She eventually founded her own program, which she worked very hard on.

Cheryl was a tremendous asset to her Bendale Park community. She was a long-time member of the Bendale Park Community Association. She worked very closely with a program called the Scarborough safety audit program, assisting and conducting safety audits across our community. Working closely with the Toronto Police Service, Cheryl served as the chair of the community police liaison committee for 41 division and contributed greatly to keeping our neighbourhood safe.

Cheryl Gilbert did not live a long life, nor did she live an easy life, but her spirit, her dedication to help others and her selfless work with victims stand out as a role model to each and every one of us. On behalf of the members of the Ontario Legislature and residents of Scarborough Centre, I extend our condolences to the many friends and family of Cheryl Gilbert. Cheryl contributed much to our community, and she will be missed by us all.

## AUTOMOBILE INSURANCE

**Mr Cameron Jackson (Burlington):** During the election, Dalton McGuinty promised Ontarians that he would lower auto insurance rates by 10% to 20%. Voters took him at his word. They trusted him to deliver on his promises.

Last week, the Premier rattled off a list of insurance companies he claims have reduced premiums from 1.9% to 11.9%, and he confused a lot of Ontario voters whose insurance continues to go up. We gave examples of constituents with huge rate increases, but the Premier continued to read a list of companies with alleged lower rates while his caucus applauded.

He said one company, Royal and SunAlliance Insurance Group, dropped their rates by 10%. This angered a Burlington senior citizen named Doug, who came to my office the next morning. According to his records from SunAlliance, his premium last year was \$3,377. This year it's going to \$4,952, a 46% increase. He showed me his driving record: no convictions, complete discharges, a perfect 50-year record except for one accident five years ago for this 70-year-old veteran.

Last Monday, Finance Minister Sorbara said that Liberal legislation was a moderation of rates; by Tuesday, he said it was an average reduction, not across the board; and by Wednesday, he said, "We never said that. We never promised that. We never proposed that."

Based on Doug's premiums, it would appear that his company has filed a 56% rate increase approved by your government and then rolled it back by 10%, sticking Doug with 46%. He wants to know why a company that reported a \$36-million profit last year is gouging him. This is no way to treat a senior, no way to treat a veteran and no way to treat a voter.

#### CARIBBEAN IMMIGRATION

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I rise today to mark the 50th anniversary of a delegation of black activists who sought to address Canada's immigration restrictions against people of colour.

On April 27, 1954, members of the Negro Citizenship Association, an organization led by the late Donald Moore and the late Harry Gairey Sr, travelled by train to Ottawa to challenge Canada's Immigration Act, which, since 1923, had denied immigration status to countries in the British Commonwealth which had large non-white populations. Countries whose citizens were negatively affected by the act included the islands of the British West Indies, British Guyana, Ceylon, India, Pakistan and some African countries.

Canada's Immigration Act defined two classes of British subjects: blacks and whites. The act claimed that blacks could not adjust to Canada's frigid climate or assimilate well into the society.

Today, in contrast to those times, Canada's strength is often said to lie in its diversity. Each year 120,000 new immigrants of diverse origins, races and creeds choose Ontario as their new home, and we know that our province and our nation are richer in many ways as a result of that diversity.

There are only two surviving members of the delegation: Bromley Armstrong and Stanley Grizzle. Mr Armstrong is a former member of the Ontario Human Rights Commission and founder of the 42-year-old Jamaican Canadian Association. Mr Stanley Grizzle was president of the Brotherhood of Sleeping Car Porters in Canada and became the first African-Canadian to be appointed judge in the court of Canadian citizenship. Mr Armstrong and Mr Grizzle both received the Order of Canada in recognition of their very significant contributions to Canadian society.

At a time of your choosing, Mr Speaker, I would be pleased to join the members of this House in welcoming Mr Bromley Armstrong, who is with us today.

#### SENIORS

**Mr Garfield Dunlop (Simcoe North):** I rise in the House today to defend Ontario's senior citizens from the anti-senior policies of the McGuinty Liberals. First, Dalton cancelled the seniors' property tax credit that would have put \$450 million more in the pockets of the seniors of Ontario each and every year. If this weren't enough, Dalton's assault on seniors has continued with broken promises that have hit the very heart of our seniors' population. He removed the cap on hydro rates after promising to keep the price cap until 2006. Higher hydro rates hurt seniors who are struggling to make ends meet. Dalton McGuinty is considering delisting drugs and increasing fees for the Ontario drug benefit plan, after promising to improve the system. This may be a trial balloon, but it's still floating.

Then there's the broken promise of cutting auto insurance rates by 10%. We all know this didn't happen because we're hearing examples of car insurance rates going up 20%, 30%, 40%, 50%, 60% and even 70%. Again, this hurts seniors who can't afford the higher rates. So I ask Mr McGuinty and his Liberals, do you want seniors to give up their cars too and lose their independence?

I regret to inform the House that the assault on seniors doesn't stop there. In their latest move, the McGuinty Liberals are attacking not only seniors but the very facilities that take care of them. I'm referring to the new Liberal property tax increases for long-term-care facilities, which, if not resolved, will affect the ability of these facilities to pay for dietary, housekeeping, laundry, and maintenance and repair services.

Enough is enough. The Premier must stop targeting our seniors today, here and now.

#### MOTIONS

#### COMMITTEE MEMBERSHIP

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** Mr Speaker, I believe we have unanimous consent of the three parties.

I move that the following amendments be made to the membership of certain committees, and I'm told that I must read this into the record; I apologize because it's rather lengthy:

Mr Arthurs replaces Mr Leal on the standing committee on general government; Mr Crozier replaces Mr Orazietti on the standing committee on the Legislative Assembly; Mr Delaney replaces Mrs Van Bommel on the standing committee on general government; Mr Flynn replaces Mr McMeekin on the standing committee on

regulations and private bills; Mr Fonseca replaces Mr Patten on the standing committee on justice and social policy; Mr Gravelle replaces Mr Qaadri on the standing committee on government agencies; Mr Hudak replaces Mr Wilson on the standing committee on justice and social policy; Mr Leal replaces Mr Gravelle on the standing committee on justice and social policy; Ms Matthews replaces Ms Wynne on the standing committee on general government; Mr McMeekin replaces Mr Flynn on the standing committee on justice and social policy; Mrs Mitchell replaces Mr Crozier on the standing committee on finance and economic affairs; Mr Oraziotti replaces Ms Matthews on the standing committee on government agencies; Mr O'Toole replaces Ms Witmer on the standing committee on estimates; Mr Patten replaces Ms Smith on the standing committee on public accounts; Mr Qaadri replaces Mr Fonseca on the standing committee on public accounts; Mrs Van Bommel replaces Mrs Mitchell on the standing committee on regulations and private bills; Mr Wilson replaces Mr Chudleigh on the standing committee on estimates; Ms Witmer replaces Mr Agostino on the standing committee on government agencies.

**The Speaker (Hon Alvin Curling):** I'm also required to read the motion. Dispense? Dispensed.

Is it the pleasure of the House that the motion carry? Carried.

1350

## STATEMENTS BY THE MINISTRY AND RESPONSES

### CITIZENS' DIALOGUE ON BUDGET STRATEGY

### DIALOGUE AVEC LES CITOYENS SUR LA STRATÉGIE BUDGÉTAIRE

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** Our government believes in Ontarians. We believe that none of us is as strong as all of us working together, that none of us is as smart as all of us planning together and that no idea is as powerful as all of our ideas put together.

C'est la raison pour laquelle, après avoir eu le privilège d'être assermenté comme nouveau gouvernement, nous avons entrepris une consultation sans précédent auprès de la population de l'Ontario.

This is why, after we had the privilege of being sworn in as their new government, we embarked on an unprecedented consultation with the people of Ontario. They had clearly chosen new and different priorities on October 2. The new and unexpected context in which we would address those priorities became much clearer once we assumed office.

An independent review by the former Provincial Auditor Erik Peters revealed a \$5.6-billion deficit. In the fall economic statement we also reported on an additional

\$2.2 billion in risks, including deficits in our hospitals and children's aid societies and the financial woes of Ontario Power Generation. The previous government, you will recall, had told Ontarians that there was no deficit.

We also learned, upon taking office, of the true depth of the services deficit facing the province. Ontarians hadn't been told either of the real state of our energy sector, our classrooms, our hospitals or the failure to plan for the future. We wanted to give Ontarians the straight goods and consult them on the right direction in this new context. We wanted to know which deficit—the fiscal deficit or the services deficit—concerns them most urgently. We wanted their very best advice on how to tackle these deficits and how quickly they should be tackled.

We started by consulting our own public service, asking for its ideas. We then consulted experts, stakeholders and community groups. Our main focus, however, was on the public at large, the people who sent us here, the people we all work for. In person and on-line, in town halls and in citizens' dialogues, through a toll-free number and a new Web site, we consulted Ontarians. We did something that has never before been done by a government in Canada. We gave citizens an open-ended opportunity to discuss budget strategy, to face the same decisions we face, with the same information and in the same context, so they could give us their best advice.

Today the results of an important part of this process have been released in a report from the Canadian Policy Research Networks, an independent, not-for-profit organization. CPRN conducted wholly independent research with groups in six separate communities—day-long dialogues involving more than 300 Ontarians selected at random from all walks of life. I want to thank CPRN for their work. More importantly, I want to thank the Ontarians who braved cold winter mornings to help us face some challenging decisions. They have confirmed our belief that Ontarians will always respond with candour, commitment, caring and intelligence. All you have to do is ask.

We asked, and this is what we heard: Participants told us they want government to be accountable, ethical and transparent for a change. They want government to manage public funds efficiently and wisely. They're willing to do, and pay, their share, as long as they know government is using public funds wisely. They want fairness. They're willing to accept changes, but they want the most vulnerable people in our society protected. I'm proud to say as well that Ontarians believe in conservation. They're willing to pay the full cost of services to promote conservation of our natural resources. And they want a balanced approach, a long-term, holistic approach to their budgets. They told us they want the budget balanced over the course of time.

The report says that in exchange for not cutting the core programs and services they most value, particularly health care and education, Ontarians would be prepared to pay more in interest on the debt in the short term.

Ontarians are telling us that their most immediate priority is improvement in their public services. They're telling us to improve their health care and education while operating efficiently and wisely. They're telling us to take a balanced approach to improve public services while we tackle the deficit. They're telling us they're willing to accept difficult choices, if those choices are made for the right reasons: to improve the services they care about the most, while protecting those who need help the most. These views have been echoed in our other consultations, including our town halls.

Leadership means listening, but it also means deciding. Nous avons été à l'écoute et nous allons prendre des décisions. We have listened, and we will decide. Ontarians' advice will help us make the right decisions. They won't always be easy decisions, and they will seldom be simple ones, but they will be the right decisions made for the right reasons. These decisions will take the form of a new budget that we will present in this Legislature on May 18.

Make no mistake about this: The magnitude of the fiscal deficit, unexpected though it may have been to Ontarians, is a real challenge, and we have to deal with it. Obviously, this will have some impact on our plans. To pretend otherwise would be less than honest with ourselves and with Ontarians. But as we've made clear in recent days, and as our budget will eloquently demonstrate, our commitment to health care and education is unwavering. These remain our top priorities because they are Ontarians' top priorities.

We look forward to tackling the challenges before us. In doing so, we will call upon the best Ontarians have to offer. In return, we will offer our very best to the people of Ontario: our best judgment, our best work and our best leadership.

**The Speaker (Hon Alvin Curling): Responses?**

**Mr John R. Baird (Nepean-Carleton):** I want to preface my remarks by saying one thing, particularly to Judith Maxwell. I can't believe she would allow herself to be used by this partisan government in this exercise. This government should be absolutely ashamed for bringing someone of her calibre into this.

Let's look at the facts. This dog-and-pony show cost taxpayers—

*Interjections.*

**The Speaker:** Order. Member from Nepean-Carleton.

1400

**Mr Baird:** In terms of talent, let's look at the facts. This dog-and-pony shows cost taxpayers half a million dollars, according to the Toronto Sun. Ms Maxwell's group was paid \$200,000 for this process. It was an unentered contract to a Liberal-friendly firm to conduct this dog-and-pony show. Let's call this what it is: the most expensive focus group in Canadian political history. Normally governments come into power to implement their campaign agenda, but this was nothing more than another election exercise designed by this government and its spinmeisters.

Let's think back to the day when Dalton McGuinty and his Liberal team launched this process. It was in this

place, on this floor, just down the hall in the cabinet room, when it was exposed that several members of the audience were Liberal Party members. So we know just how independent this process was. There were 250 Ontarians who participated in this process, and they have two things in common: they're unnamed and they're unaccountable.

Last week I asked the Minister of Finance if he could defend his Premier. Premier, you weren't here, and he hung you out to dry. I asked him if he could name one single person in the province of Ontario who had come forward and asked for additional user fees. I said, "Name one single person." He got up, stumbled and fell and couldn't name a single one. I then looked over to the Liberal brain trust standing over there behind the Speaker. Surely they could have named one individual. Six questions later, not a single individual could be named who had come forward and asked for an increase in user fees or taxes. To make matters worse, the minister stumbled through a scrum out in the hallway and did come up with one name. The only Ontarian the Minister of Finance could come up with who had asked for additional user fees was Dwight Duncan, the Minister of Energy. This was some 90 minutes after the question was asked.

Let's look at the reality since the Peters report. Revenues are up by more than a billion dollars, thanks to a growing economy that was fuelled by tax cuts in the fourth quarter of last year. We've seen an \$800-million tax grab in the first three months of this year alone. We've seen a billion dollars for health care: A billion dollars came into Ontario for health care, which the Conservative government fought for; namely, the \$700 million we squeezed out of Jean Chrétien's hand on his way out the door and \$300 million for SARS. Let's not forget the \$2-billion contingency fund in the certified and verified Liberal fiscal plan.

But even worse—and this is the way we were warned it would be with the Liberal government—we saw them engage in an orgy of new spending, \$3 billion in new spending since Dalton McGuinty put his hand on the Bible in this very place. Not only could Dalton McGuinty have balanced the budget this past fiscal year if he wanted to, he could also have brought in a \$2.4-billion surplus with some component management. The reality is that the Liberals are big taxers, the Liberals are big spenders, and this is the way we were warned it would be.

The Premier stands in his place and tells us that he has heard from taxpayers. Let me say to the Premier that he is the one who spent \$4 million on advertisements.

*Interjections.*

**The Speaker:** It's becoming a shouting match. Could you direct your comments to the Chair in the few moments you have?

**Mr Baird:** The Premier looked every Ontario family in the eye and said, "I promise I won't raise your taxes," only to break the trust with working families and raise them in his first bill in this House. He is the one who

promised to sign the taxpayer protection pledge and balance budgets in Ontario. That's a promise he has broken, and the taxpayers of Ontario will not forget that. He's the one who said we weren't spending enough on health care and we weren't spending enough on education. We'll see on May 18 whether hospitals and schools are satisfied with the excuses of this government.

Taxpayers in Ontario know they have a big-spending, big-taxing Liberal government, and they're going to render their verdict in the upcoming federal election campaign in the province of Ontario.

**Mr Michael Prue (Beaches-East York):** I went to the press conference this morning, and I have to admit that I think this government has a conundrum. On one side, they have made 230 promises that involve the expenditure of money and, on the other, they have promised both not to raise taxes and not to have a deficit. So they have hired what can only be called a very expensive private consulting group, Canadian Policy Research Networks, to come and give them some advice, or appear to give them some advice, on how to get out of this very real conundrum.

They have brought together some 250 supposedly ordinary citizens, who are nothing of the sort. If you look down the list, you will see that they are not ordinary citizens. They tend to come from upper income groups and upper education groups. They were given virtually no information on how they were to make a rational and real decision or how to provide advice to this party. They were given only the campaign agenda of the Liberal Party and only those documents that relate to where the Liberals want to go. They were given virtually no alternatives from other groups, not from the opposition Conservatives, certainly not from the New Democratic Party, on ways that this government could act in a more responsible manner in coming to grips with the deficit you inherited and with the many promises that you have made. They were given absolutely no alternatives on possibilities of tax increases. That was not even on their agenda, nor could it be discussed.

Sure, they came back and said things that we expect all Ontarians to say. They talked about conservation, which is important. They talked about vulnerable Ontarians. They talked about improved public services. But they were not able to make the leap on how you pay for them because they were not given the statistics, alternatives or wherewithal to do that. The reality is that they were given no alternatives at all, nor is this government giving us any alternatives. They are simply saying that they are going to do all things in due course on the 18th.

The recommendations made by this group can best be described as ethereal. They came out of thin air; they are in thin air. That is all they are. This was an exercise, I would suggest, in futility by this government. It was an exercise to try to hide what you're attempting to do or going to attempt to do on May 18. The really sad reality of all this is that you spent half a million dollars of taxpayers' money that could have been used in so many good ways: to help the homeless, the poor, to be used in a school or to hire a couple of teachers.

Instead, it is a masquerade, and you really don't know where you're going on May 18. You have used 250 people, I would suggest, in a vain attempt to try to prove to the population that you were listening. The reality is that you were not listening, because you were not instructing. You were not giving these very real people an opportunity to make concrete suggestions that your minister might follow on the 18th.

I would suggest that you should be ashamed of yourself for what you have done today and ashamed of yourself for presenting this as a dialogue with ordinary Ontarians. It was nothing of the sort. I would suggest that come May 18, everyone in this province will see this for what it is: nothing but an ethereal development on your part, into thin air and out of thin air.

**M. Gilles Bisson (Timmins-Baie James):** En français, on a un dicton. On dit, « Quel culot. »

Le premier ministre nous dit aujourd'hui qu'il a fallu faire une consultation qui a dépensé 250 000 \$ et qu'à la fin de la journée, la population a dit, « Oh ! Augmentez nos taxes. Donnez-nous des frais d'utilisation. Ayez un plus gros budget quand ça vient au déficit, et vous n'avez pas à le balancer. »

Je vous rappelle, monsieur le premier ministre, qu'on a eu une élection, puis l'élection était très simple; l'élection était sur la base des plateformes qui ont été mises en place par les partis politiques. Si vous ne vous rappelez pas, vous avez gagné cette élection sur vos promesses. Tout ce que veut la population, c'est que vous gardez vos engagements, les promesses que vous avez faites dans la dernière élection—par exemple, les 5 000 éducatrices et éducateurs que vous avez promis aux Ontariens d'engager, et là, vous dites que vous n'allez pas le faire; que vous gardez en place vos engagements envers les 10 000 gardes-malades que vous allez engager. On vous demande de garder votre engagement. On vous dit, « Vous avez promis de ne pas augmenter les taxes, de ne pas augmenter les frais d'utilisation, et là vous nous dites, "J'ai fait une consultation. C'est correct que je peux casser ma promesse." »

Je vous dis, monsieur le premier ministre, que la seule consultation qui veut dire quelque chose, c'est l'élection. Gardez vos engagements. Cette farce ne marche pas.

**Mr Norman W. Sterling (Lanark-Carleton):** On a point of privilege, Speaker: This morning at 10 o'clock, the Minister of Consumer and Business Services, Mr Watson of the riding of Ottawa West-Nepean, made an official announcement, I believe, on behalf of the Minister of Transportation—

1410

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: We were not provided—

*Interjections.*

**The Speaker:** Order. You rise on a point of privilege. You didn't inform me in writing.

*Interjections.*

**The Speaker:** Order. I'm asking that you provide me with written notice on this.

**Mr Sterling:** On a point of order, Mr Speaker: This morning at 10 am, the Minister of Consumer and Business Services appeared on the border of the ridings of Lanark-Carleton and Renfrew-Nipissing—

*Interjections.*

**The Speaker:** Order. Let me hear the member's point of order. I can't hear what he's saying. I want to see if it's a point of order or not.

**Mr Sterling:** I can understand their concern, Mr Speaker, because of the actions of this government in disregarding MPPs, although they continue to spout this philosophy of respecting MPPs.

The thrust of this was an announcement in my riding of an \$11-million contract to pave a piece of Highway 417.

*Interjections.*

**The Speaker:** Order. Would you come to the point of order? I'm not seeing it.

**Mr Sterling:** Mr Speaker, the concern is that notwithstanding that this would be a significant matter in both the riding of Lanark-Carleton and the riding of Renfrew-Nipissing-Pembroke, there was no courtesy on the part of the Minister of Transportation—

*Interjections.*

**The Speaker:** Order. It is not a point of order.

**Mr Bisson:** On a similar point of order, Mr Speaker: I was looking for the invitations from the previous—

**The Speaker:** Order. It is not a point of order.

## ORAL QUESTIONS

### CITIZENS' DIALOGUE ON BUDGET STRATEGY

**Mr Ernie Eves (Leader of the Opposition):** Mr Premier, as you know, we had a significant event in this province last October 2. It's called an election. The people of the province voted for change. They voted for your platform. Since then, of course, we've had the usual pre-budget consultations, not only by the Ministry of Finance but also by the finance committee of the Legislative Assembly of Ontario, and we've also had town hall meetings.

Can you tell us why it would then be necessary to have government by focus group and spend \$200,000 of taxpayers' money talking to 250 selected people to produce this?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** In addition to the significant event the Leader of the Opposition referred to, that being the provincial election, there was another significant event, and that was our discovery of a \$5.6-billion deficit and another \$2 billion in additional risks.

The Leader of the Opposition and I differ on this, obviously. We felt that the responsible thing to do in those circumstances was to take that information to the people of Ontario and get the very best advice, given that

particular new context. I'm pleased with the advice we've received, and we look forward to delivering our budget in keeping with it.

**Mr Eves:** This morning on the way into caucus, the Premier was quoted as saying, "CPRN is a completely independent, non-profit organization. They set up the questions, they prepared the report and Judith Maxwell herself will be speaking to that momentarily," and indeed she did. But Judith Maxwell, responding to a question by Ian Urquhart of the Toronto Star, said this was right out of the Liberal platform, that "the government provided the facts and the content for the workbook; we merely provided the template." "So the list of ideas came from the government?" "Yes."

How is that totally independent? How is this a totally independent report when you supplied all the information, you supplied all the stuff to be given to the 250 selected people?

**Hon Mr McGuinty:** I have every confidence in the people of Ontario when it comes to determining what kind of information they can rely on. We provided them with information; it was factual in nature and the people of Ontario provided us with their very best advice. We will not apologize for taking the time to consult the people of Ontario and get their best advice when it comes to their budget and expenditures of their money.

**Mr Eves:** This morning the Premier said this was independent. He promised open and transparent government. There was a hotline directly to the Ministry of Finance during the course of this. Will you give us the names of the 250 people? There was a participant from the Premier's office present at all times, and Judith Maxwell is quoted as saying that the ideas came from the government, they came from the Liberal platform; no ideas from the Conservative or NDP platforms would be put in there. This is the independent person you're talking about. You force-fed her the information. You only gave her the questions that you wanted answers to. Why did you waste \$200,000 of the taxpayers' money going through this very expensive, non-bid, non-tendered focus group? Why did you do that? Is this open and transparent government?

**Hon Mr McGuinty:** We're bringing a new approach to governing in the province of Ontario. This previous government was quite prepared to work—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. We'll take a five-minute recess until you all cool down.

*The House recessed from 1418 to 1423.*

**The Speaker:** Premier.

**Hon Mr McGuinty:** I was saying that we're bringing a new approach to governing in Ontario. We're proud of the approach that we are bringing. To contrast our approach with that of the previous government, we spent—yes, it's true—\$200,000 on gathering information and the very best advice that we could from Ontarians before the budget.

But we think that is better than spending \$1 million subsequent to the last budget to spin Ontarians with a

single brochure that went to over 4.3 million Ontario households. That's the money that this government spent on spinning Ontarians post-budget. We believe that our responsibility is to consult Ontarians and get the very best advice before the budget, and we will not apologize for that.

**The Speaker:** New question.

**Mr John R. Baird (Nepean-Carleton):** To the Premier: The ironic part of the report is it's called Trust and Balance, when Ontarians can neither trust you to keep your promise, nor trust you to keep your promise to balance the budget of Ontario.

Let's look at the reality. The first consultation that was launched, in this building, in your office, had several members of the Liberal Party. I have a simple question for you. Will you tell us, who do you trust more, 250 faceless people consulted by a hand-picked group that you selected, or the people of Ontario, who you promised you wouldn't raise their taxes and who you promised you would balance the budget? Which is it, Premier?

**Hon Mr McGuinty:** I can understand why the member opposite is so upset, because he doesn't like what he's hearing from the people of Ontario. It turns out they're balanced, responsible, reasonable and sensible. They are telling us to balance the budget in a way that does not compromise their public services. They're telling us that they want us to protect our most vulnerable. We intend to do those things. They're telling us not to pretend that the \$5.6-billion deficit plus another \$2 billion in additional risks don't exist. They're telling us not to pretend things are the way they were before the election.

We've got a deficit and it's significant. We're going to manage it but we're going to do it in a way that is in keeping with the best advice we got from the best people in the world, the people of Ontario, who are telling us to be responsible and reasonable in our dealings with their money.

**Mr Baird:** Let's look at the facts, Premier. You said you wouldn't bring in outside consultants and you said you would tender contracts. Let's look at this report. It's a \$200,000 untendered contract to a firm that operates out of your hometown, Premier. That's the reality: \$200,000 to be spoon-fed Liberal pap at election time.

That's what was revealed at the press conference. You should have been at the press conference downstairs, where the Toronto Star was able to find out that before these consultations were held, every participant was spoon-fed the Liberal election campaign platform.

Let's look at the reality, Premier: \$200,000 to find out that the people of Ontario—

*Interjections.*

**The Speaker:** Do I have to call on the member for Windsor West not to engage in this shouting match across? The member for Nepean, would you direct your questions through the Speaker?

**Mr Baird:** Two hundred thousand dollars of wasted taxpayers' money right down the toilet to find out that health care and education are a priority for the people of the province of Ontario.

What I want to ask you is, will you release the names of the 250 people who participated in this consultation? Will you do that? Will you be open and transparent about who exactly these 250 people are, because, Premier, it's too much to ask that we trust you on this issue.

**Hon Mr McGuinty:** We were pleased that we were able to receive the assistance of CPRN, an independent, non-profit organization, which conducted this research for us and collected advice from the people of Ontario. Again, we contrast that investment with this partisan political advertising. It cost over \$1 million. It came after the last budget. It went to 4.3 million Ontario households. The sole purpose of this investment, which is simply too nice a word to use for this particular partisan political advertising, was to spin Ontarians.

We have consulted Ontarians before the budget. This is something that our predecessors find particularly threatening: to talk to Ontarians. We're not running over them. We're not working around them. We're speaking with them and getting their best advice. We have received that advice and we look forward to acting on it.

**Mr Baird:** Premier, all we're asking is for you to provide us the names of these 250 people, all of whom seemed to come forward and ask for higher user fees. These people are faceless, they're unaccountable and, at the end of the day, they expect you to take responsibility for the promises and the commitments that you made in the last election campaign.

Let's look at the facts. We gave a \$200,000 untendered contract to a firm in your hometown to come back and tell us that health care and education are important. This is the most political document I've seen in recent memory that has been passed off as independent, and it's an absolute outrage. Will you stand in your place and tell us, if you had so much confidence in the people of the province of Ontario, why were you not straightforward with them about your plan to run a big-spending and big-taxing government? Will you do that, Premier?

**Hon Mr McGuinty:** We would not have had to do any of this if this member and the former government had been straightforward about the deficit. There is no doubt that the budget we are about to present would have looked substantially different had the former government not hidden a \$5.6-billion deficit from the people of Ontario. Now what they refuse to accept is that, unfortunately for them, the people of Ontario are responsible, reasonable and balanced. They want us to bring that kind of an approach to their budget, and that's exactly what we intend to do.

1430

#### GOVERNMENT'S RECORD

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Premier, today the report of the citizens' dialogue on your budget begins with the following quote from an Ottawa resident: "As a new government, I think that the Liberals need to work hard to earn the trust of the people of Ontario." Yet, just three

days ago, on Saturday, Ontarians saw you on television trying to deny that you promised to hire 5,000 new teachers. Then Global Television played the video clip where you had indeed promised to hire 5,000 new teachers. Why should the people of Ontario trust you when, just three days ago, you got caught on television trying to deny a promise you had clearly made?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** On that particular issue, I say to the leader of the NDP that we've been very clear that we will hire as many teachers as are necessary to ensure that we can reduce class sizes from JK to grade 3 to a maximum of 20. We've been very clear about that.

I gather the NDP is equally disappointed in discovering, and having to admit, that the people of Ontario are responsible, reasonable and balanced. That's the kind of approach they want us to bring to addressing the budget. We are not going to do what the NDP did when they earned the privilege of serving Ontarians as their government, and that is, ignore our financial challenge. We're not going to pretend that we don't have a significant deficit before us. We're going to address it in a balanced, responsible and thoughtful way, giving expression to the top priorities of the people of Ontario: their health care and their education.

**Mr Hampton:** The question was, why should the people of Ontario trust you when you so clearly got caught in a denial on television? The fact is, Premier, you don't have trust, and the reason you don't have trust is because you have set a record for the most broken promises in the shortest period of time ever by a Premier of Ontario.

Health care promises: the promise to end the P3 hospitals didn't happen; in fact, we're going to see more P3 hospitals. A promise to improve standards in long-term care hasn't happened either. A promise to extend IBI autism treatment to kids over six—that's not going to happen.

Premier, you've been caught in denials and you've been caught in broken promises so many times, why do you think the people of Ontario should trust you now?

**Hon Mr McGuinty:** One of the commitments we moved on quickly was our first bill, which dealt with the fiscal challenges before us. One of the aspects of that bill was to rescind the private school tax credit, and we were proud to do that. But we were disappointed, as were the people of Ontario, to learn that my friend from the NDP voted against that particular legislation, saying that we should continue to spend public dollars in private schools. He has explaining to do on that particular front.

**The Speaker (Hon Alvin Curling):** New question.

**Mr Hampton:** Premier, the issue is trust in you. Judith Maxwell made it clear this morning that the only options presented at these so-called focus group sessions were from the Liberal platform. Any other options, any other viewpoint, any other possibilities, were excluded. I don't know about you, Premier, but I call that a cooked process. I call that a fixed process where you can't get outside the boundaries of the options. Are you asking the people of Ontario to trust you when this has so clearly been a partisan, Liberal spin process?

**Hon Mr McGuinty:** Obviously I take fundamental issue with the characterization of CPRN's work. It is an independent, non-profit organization. It has performed remarkably well in consulting the people of Ontario on our behalf.

I should say as well that, beyond CPRN's work, we conducted our own town halls. We're not afraid to reach out to the people of Ontario, to speak to them about the issues of the day and to solicit their very best advice. We happen to think the people of Ontario have much to offer. We have spoken with them; we have listened to them; we have heard them.

Now we look forward to acting. That action will be reflected in our budget. Again, the members opposite are disappointed to discover that at heart the people of Ontario are balanced, thoughtful and responsible. They don't want us to balance their budget in such a way that compromises their public services, and they want us to look out for our most vulnerable. Our budget will reflect that advice.

**Mr Hampton:** I don't need a \$200,000 focus group to tell me that Ontarians care about health care and education. I could go out in the street and find that out today. The issue is this: You have lost the trust of the people of Ontario because of your broken promises, because of your denials where you've been caught on television. Do you really think that running this \$200,000 spin process, where the options are carefully restricted, where people aren't allowed to speak outside or think outside the options you gave them, is going to restore the public trust in you after your denials and your broken promises?

**Hon Mr McGuinty:** We looked at a number of other options that we might include. One of those was government-run auto insurance, but it elicited such guffaws and was met with such cynicism on the part of Ontarians, because they've heard about that promise time and time again from the NDP, that they say they would have nothing to do with that. For that reason, we did not include that as an option. Those options that were in there were included for the obvious reasons. They were responsible and thoughtful. We were very open to other approaches and options that were put on the table by the people of Ontario.

## LONG-TERM CARE

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Minister of Health and Long-Term Care. I've just heard your Premier say there is a need for all of us to protect the most vulnerable in our society. In fact, you were quoted on December 8 in the Toronto Star in response to the series on long-term care as saying, "Ontario seniors must be able to look forward to living out their final days in 'quality and dignity.'" However, you have now turned your back on these frail seniors.

Why have you broken your promise to provide \$6,000 more for each resident, for their health, safety and care? Instead, now you are cruelly and stealthily clawing back

funds. Everyone knows there are 35% more beds in operation today in Ontario. They need to be funded and they're not. If you opened a hospital, you wouldn't take funds from other hospitals to fund the new hospital. Why are you clawing back money from the long-term-care facilities and not funding the residents appropriately?

**Hon George Smitherman (Minister of Health and Long-Term Care):** On the issue of long-term care, it strikes me as interesting that a member who was part of a party that left these long-term-care facilities in the state we had them is now prepared to be part of a message that talks about declines in them.

Here is where we're at: Very clearly, we've acted. My parliamentary assistant, Monique Smith, has tirelessly travelled around parts of the province. I did an unannounced visit at a long-term-care facility in Richmond Hill about a week or two ago. We have instituted new policies, including the unannounced visit. That member had the honour of serving as Minister of Health in this province. For all of the time she was the Minister of Health, there was notice given before inspections were done. We've eliminated that. There will be no more announced visits. When we're going in for inspections, there will be no pre-warning that those are coming.

With respect, we are a government that, six months into our term, has begun to make new investments. Over the course of the next several months, we'll have an opportunity to respond to the challenges in long-term care in a comprehensive way and enhance these care standards.

1440

**Mrs Witmer:** It is regrettable that this minister does not understand long-term care, the system of funding and the fact that they are clawing back the property tax rebate, which was in place at 90%. Then they're retroactively going back to 2003 to 73%, and now last week, they said 50%. This could mean a difference of \$1,000 to \$2,000 per resident for their care and support.

It has nothing to do with the report and the travel that has been undertaken by Monique Smith. This has everything to do with the fact that we've got seniors who are not getting the level of care and support they're entitled to. Not only are they not getting the \$6,000 more, they're seeing clawbacks. It's hurting people. I say to you, Minister, show compassion to these elderly people. Stop the clawback immediately. Provide the \$30 million that was to flow on April 1, and keep your promise to provide \$6,000 more.

**Hon Mr Smitherman:** In the member's earlier question, she criticized me for not knowing the way the categories worked, but it's obvious and clear that she doesn't understand that there are, across the breadth of long-term-care facilities, a variety of different funding categories. The care category cannot be compromised for other categories. As the Minister of Health for three and a half years in this province, of all people, you ought to have known that.

On the issue—

*Interjection.*

**Hon Mr Smitherman:** If you just pipe down, I'll tell you. On the challenges we confront that have been left behind by that government, we're going to respond in a comprehensive way that enhances transparency and accountability, that improves care standards and changes the culture in these facilities to ensure that Ontarians live out their final days with all the dignity to which they're entitled—something that under that government, when they were there, didn't occur.

#### MANDATORY RETIREMENT

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** My question is for the Minister of Labour. Minister, as you know, discrimination can take many forms, and it's no secret that ageism exists in Ontario. One particularly strong example is the practice of mandatory retirement. When it comes to employment today, we wouldn't think of allowing someone to be discriminated against based on gender, race, faith perspective, disability or sexual orientation. Yet mandatory retirement allows people to be treated differently, solely on the basis of age and without taking into account a person's qualifications or their ability to perform a job.

While there's no law in Ontario that requires a person to retire at 65, the Ontario Human Rights Code contains a restrictive definition of age in the context of employment, which only allows people to bring complaints between the ages of 18 and 65. Minister, will you commit to eliminating mandatory retirement in the province of Ontario?

**Hon Christopher Bentley (Minister of Labour):** I'd like to thank the member for Ancaster-Dundas-Flamborough-Aldershot for the question because he raises a very good point, and that is the reason the McGuinty government has committed to ending the practice of mandatory retirement. We believe that people should not be forced to retire, that society should not lose the skills, the ability, the knowledge and the drive that people have acquired over a lifetime. This society needs that energy as we move into the future. We need that energy, that drive, that determination. We are going to end the practice of mandatory retirement. We are going to keep the commitment we made to the people of Ontario.

**Mr McMeekin:** Minister, I'm impressed. You've only been here a short time and already you've moved to increase the minimum wage and to end that draconian 60-hour workweek. Now you're committed to ending mandatory retirement. I'm pleased.

As you know, Keith Norton, the chief commissioner of the Ontario Human Rights Commission, has been urging us to amend the Human Rights Code to protect workers. On two occasions, my friend and colleague Michael Colle stood in his place and proposed private member's legislation that died on the order paper. Mr Minister, I appreciate your positive response. When can we expect the introduction of legislation in this assembly?

**Hon Mr Bentley:** The member is right to press for this matter because it is a matter on which we intend to move, and we must move. We support the commissioner's position. We will be having conversations with the people of Ontario over the course of the summer. We want to make sure that we eliminate mandatory retirement, but do so in a way, however, that protects the rights of those who still wish to retire at a defined age such as 65. We'll be moving fairly and as expeditiously as we can.

### PHYSIOTHERAPY SERVICES

**Mr Cameron Jackson (Burlington):** My question is for the Minister of Health. You have recently been approached by the physiotherapists of Ontario who provide these essential services for seniors and low-income individuals. For many, it's their safety net of access to important physiotherapy services. They have been hearing comments in your public hall meetings and others that you are potentially planning to delist the OHIP-sponsored medical services that are currently administered through about six million procedures to seniors and low-income persons in our province.

Would you please assure the House and the physiotherapists in this province, understanding, of course, that you have removed the G-code from physicians to do these services, which puts even more emphasis on the important physiotherapy services, that you will not be delisting these services and, in fact, will be looking for ways to enhance those services?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I do think that enhancement to services like this is essential, particularly in large measure because physiotherapists from 1990 had no new arrangement or agreement with the government of Ontario. This has resulted in discussions which are ongoing. I'm not going to speculate about any decisions that might or might not be taken. But what I can tell the member is that I've had the opportunity to speak previously and to confirm that I think it's incredibly important, particularly for seniors who are receiving post-acute home care and the like and long-term care, that we make sure that physiotherapy services are provided because they're so essential to the independence of our seniors. I appreciate the question from the member and can assure him that I agree that these are important services.

**Mr Jackson:** The best signal that you could be giving to physiotherapists is that you clearly will not be delisting them. You have not taken that opportunity; maybe you will in your supplementary. You have not availed yourself as the minister to meet with this organization in spite of the fact that they have requested it on a number of occasions.

The schedule 5 physiotherapists in this province fully understand that they need to act within a definitive budget, something which your government espouses, and that they must have predictability with their fee schedule. They received a confirmation of agreement from the

government, from your own civil servants, your bureaucrats in the Ministry of Health. This agreement was hammered out over a month-and-a-half period, and yet they have not been confirmed by you as the minister. We have an agreement by the bureaucrats. We have an agreement by the association. It follows the capping principle and a prescribed fee schedule—all those things that you're looking for as you manage health care. We want to know, will you honour that agreement and will you honour the pledge and commitment made by your bureaucrats in good faith to schedule 5 physiotherapists in Ontario?

**Hon Mr Smitherman:** The agreement that the member speaks about was there for ratification by his party when they were the government and it wasn't ratified at that stage.

*Interjection.*

**Hon Mr Smitherman:** You can ask me another question later, but I would just say that I think it is important to note that this is one more file that, when I arrived as the Minister of Health, had quite a lot of work yet to be done. I can confirm that staff in my office have been in very regular contact with members of this association. I'm not going to be engaged today or any other time in speculation about where we're headed, except to look back to what I said in my earlier response, which was that we value these services and we'll be taking all of the necessary decisions short coming.

1450

### TIRE DISPOSAL

**Mr Bruce Crozier (Essex):** My question is for the Minister of the Environment. Like most Ontarians, I have a great interest and concern in the environmentally sensitive disposal of tires in the province. I know my constituents in Essex county have shared this concern with me. We're told that each year there are between 10 million and 11 million used tires generated in the province. Some of these are recycled, some of these are sent to other jurisdictions and some of the tires are diverted for resale, but many, many more are simply stockpiled, and they're breeding grounds for mosquitoes and they're fire hazards. Minister, what steps have you taken to develop a long-term and sustainable plan for the disposal of used tires in Ontario?

**Hon Leona Dombrowsky (Minister of the Environment):** It is an important question that the member from Essex has asked today. As he has indicated, with the 10 million to 11 million tires that the people of Ontario generate each year, 40% are recycled here in Ontario for value-added products and the balance of them are then exported to the United States or other jurisdictions.

The recycling efforts in Ontario are consistent with the way this government believes that waste products should be managed in the province. But we know that the people of Ontario expect more, and actually, Ontario is the only province in Canada that does not have a tire plan. So, to that end, I have asked Waste Diversion Ontario to work

with Ontario Tire Stewardship to bring a plan to this minister so that we can implement a responsible plan, as other jurisdictions across the country have done.

**Mr Crozier:** I appreciate the hard work that Waste Diversion Ontario, Ontario Tire Stewardship and you personally have done on the file. However, I'm sure that my constituents and the people of Ontario would appreciate a more specific timeline for the approval and implementation of an effective tire strategy. Could you please tell this House when you anticipate that the Ontario Tire Stewardship draft plan would be approved and, more specifically, how long will it take to begin the implementation?

**Hon Mrs Dombrowsky:** I'm happy to say that because the stakeholders and people who are concerned about the environment are very interested in this issue and interested in moving it along, there was a preliminary plan that was presented by Ontario Tire Stewardship. However, the Waste Diversion Ontario organization believed that it needed to have some more work, so those two groups continue to work on the plan.

Because we believe it is so absolutely essential because of the environmental and health issues related to the management of tires, it's a plan that we want to make sure is sound when it does come forward for approval. I know that staff at the Ministry of the Environment continue to work with Ontario Tire Stewardship. I will be meeting later on this week with Waste Diversion Ontario. We are anxious to get a plan in place, but I have to say that we're not going to rush a plan. I think we all know in this Legislature what can happen when legislation or regulations are implemented without a lot of forethought. So we're going to take the time we need and we look forward in the weeks ahead to keeping you informed on this.

### CHILD CARE

**Ms Shelley Martel (Nickel Belt):** I have a question to the Minister of Children and Youth Services. Today, the Ontario Coalition for Better Child Care said that municipal child care centres in Stratford, Kenora, Sudbury, St Mary's, Owen Sound and Hanover are in danger of closing because of inadequate funding.

At the same time, your government is receiving \$58 million from the federal government this year for child care, but none of this money has flowed to municipalities to avoid the crisis.

On April 1, you also received \$192 million from the federal government for the early childhood development initiative, and despite your election promise to spend the majority of that money on high-quality, regulated child care, none of that money has been allocated to child care.

Municipalities are making really difficult decisions to close municipal child care centres when your government has more than enough money to save existing spaces. Minister, when are you going to act so that thousands of Ontario families don't lose their child care spaces?

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and**

**Immigration):** I'd like to thank the member opposite for the question and I'd like to thank the coalition for their report. I received the report last night and I look forward to reviewing it. I met with the Coalition for Better Child Care last week and I promised to work with them in implementing the changes.

With respect to the federal money for early learning and child care that is coming, the \$58 million, we have committed to spend it where the federal government asked us to spend it, and that is in early learning and child care. That will occur.

With respect to the \$192 million that is already in place out there, that funds various children's programs that we are now reviewing. We don't want to close any programs that are valuable right now, right away, impulsively. Part of being a new ministry is reviewing all of the existing programs for children under the age of six, all of the money we receive from the federal government and all of the money we spend toward those programs to ensure that we give the best programs to the children of Ontario.

**The Speaker (Hon Alvin Curling):** Supplementary.

**Ms Marilyn Churley (Toronto-Danforth):** Minister, you made a promise, and the crisis is now. We were told today that the city of Toronto will have to eliminate more than 1,100 child care spaces if you don't provide the \$9.6 million in federal money that I asked you about last week and which you said didn't exist. They need it by June 1. When I asked you about it before, you denied that you had the money. Listen, the city is already paying 35% of the cost of child care when the rules say, the laws say, that you should be paying 80% and they should be paying 20%.

Minister, they can't keep this up any longer. You say you are concerned and are reviewing it, but the child care centres need the money now. I ask you again, are you going to come through immediately with this money, or are 1,100 more children in Toronto going to lose their child care?

**Hon Mrs Bountrogianni:** I thank the other member opposite for the supplementary question. I understand the mess that the daycare and child care situation is in in this province. It has been 10 years of erosion.

With respect to the \$58 million, the member opposite is incorrect. I don't have that money yet. My ministry doesn't have that money yet. I thank the federal government for the infusion of money. They do have to pass their budget bill before we receive that money. I have committed to spending that money where the federal government intends for that money to go, and that is in early learning and child care programs, and I intend to do that.

### TRUCKING INDUSTRY

**Mr Frank Klees (Oak Ridges):** My question is to the Premier. By not having the courage to defend Ontario's truck safety standards, you are putting Ontarians and citizens of this province at risk and you are putting the entire trucking industry at risk.

As we speak, MTO staff are meeting with their federal and provincial counterparts to discuss the implementation, the proclamation of the Motor Vehicle Transport Act. Under that legislation, Premier, it will be impossible for Ontario to enforce its own higher standards. It will be impossible for the Ontario trucking industry to remain competitive. I would like to know why you are willing to compromise the safety of Ontarians, why you are willing to compromise and put at risk an entire industry.

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** Speaker, I know the minister would like to speak to this.

**Hon Harinder S. Takhar (Minister of Transportation):** We are working very closely with the federal government to make sure the safety standards are adhered to. This act was passed by the federal government but is not proclaimed yet. We are working with them to make sure that the standards are uniform and that they meet Ontario standards. That's what we are doing with them right now.

**Mr Klees:** Premier, your minister doesn't understand the issue. Your minister doesn't understand that in fact that uniform standard he is referring to is far below the safety standards of Ontario. What I understand from what is happening in that meeting today is that his officials have not been instructed to insist that the standards that are in place in that federal legislation comply with the high standards of Ontario. Why is this minister not giving the appropriate direction, the political direction, to his staff so they can stand up for the standards that Ontario has had in place for a number of years and that have given us the kind of safety record that we have? Why are we prepared to compromise, first of all, safety, and, second, to fold in an entire industry that will become uncompetitive as a result of this? The minister smiles. This is not a laughing matter.

**Hon Mr Takhar:** Safety is our number one concern. We are going to make sure that our roads stay safe and our drivers are safe. That is what we are going to insist on. The federal government can have minimum legislation, but our legislation is better than that. We will work to improve their legislation rather than reducing our standards.

This legislation was passed when you were in power, by the way. But we will continue to work with the federal government and the other provinces to make sure that the roads are safe and our standards are maintained.

1500

#### HOURS OF WORK

**Ms Caroline Di Cocco (Sarnia-Lambton):** My question is for the Minister of Labour. In my riding of Sarnia-Lambton, many businesses may be affected by your announcement yesterday about ending the 60-hour workweek in Ontario. Will this proposed legislation create onerous red tape and onerous amounts of paperwork that will take away from their competitiveness?

**Hon Christopher Bentley (Minister of Labour):** The member for Sarnia-Lambton raises a very important

point. Yesterday I was pleased and privileged to be able to introduce in this House legislation that rolls back the 60-hour workweek, protects the vulnerable, and will support a worker's right to choose whether to work excess hours. But we are going to do so in a way that is easy to use and administratively simple. We are going to protect business flexibility so they can maintain their competitiveness nationally and internationally.

How will we do that? First, we will encourage on-line applications. Secondly, there will be no fee. Thirdly, we'll make sure these applications are dealt with as expeditiously as possible within 30 days. In this way, we can protect the vulnerable and guarantee that businesses have the flexibility they need to compete. This is what Ontarians need, and we're looking forward to debating that legislation.

**Ms Di Cocco:** Minister, you've indicated that the ministry has the right to refuse an approval. Some in the opposition seem to think that your ministry will now simply rubber-stamp approvals. How do you respond to this accusation?

**Hon Mr Bentley:** I was surprised and shocked to hear that under the previous government applications for permits were simply "rubber-stamped." I thought that was shocking. In fact, any application should be considered on its merits. We will make sure that applications are reviewed so we can determine the health and safety record and the employment standards compliance record of the employer.

But I'll say something else: The overwhelming majority of employers are either doing the right thing or want to do the right thing. What we're going to do is support the best in business in Ontario. We're going to develop a workplace portal, an on-line system so businesses can obtain easy-to-use information so they can keep themselves in compliance. By doing that, we'll cut across ministries and reduce bureaucratic red tape for businesses so they can be competitive in today's society.

#### ELECTRICITY SUPPLY

**Mr Norm Miller (Parry Sound-Muskoka):** I have a question for the Minister of Northern Development and Mines. I think you would agree with me when I say that access to affordable and increased supplies of electrical energy is essential for the future economic growth of the north. Your government has committed to phasing out all five coal-fired generating plants by 2007, including the low-emission plants at Thunder Bay and Atikokan. These plants now make up 20% of Ontario's electrical generating capacity. For the northwest in particular, these are a major source of jobs and also make up the primary supply of electricity in the area. How are you going to replace the electricity currently generated by the Thunder Bay and Atikokan power plants when you close them?

**Hon Rick Bartolucci (Minister of Northern Development and Mines):** I know the Minister of Energy will want to answer that.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I'm pleased to have the oppor-

tunity to respond to that question. First of all, the member is right: We have committed to closing coal plants and we intend to keep our commitment on this, as we have on everything else. Second, I would indicate to the member that as part of my announcement last week, I acknowledged the need for things like distributed generation and a number of other alternatives that are available, particularly for the northwest, in terms of responding to this particular need. Third, with respect to the 94 full-time jobs in Atikokan, this government, in keeping its campaign commitment on coal, will ensure the community is not negatively impacted by job loss resultant from our desire to clean the air in northern Ontario.

I would remind the member that last summer was the first time in northern Ontario, in Algonquin Park and Sault Ste Marie, that we had smog days. That's unacceptable. This government is prepared to deal with that situation.

**Mr Miller:** I would suggest that this is a commitment you might want to think twice about. Really, I was hoping the Minister of Northern Development and Mines might be the person to answer this question.

Minister, rather than arbitrarily saying that all coal is bad and going ahead and shutting down all the plants by 2007, with significant negative repercussions to the northern economy, why not take a more logical approach? Why don't you set tougher emissions standards, invest in clean coal technology, and if the plants can meet the tougher environmental standards, let them continue to produce electricity so vital to the northern economy?

That's what the northwestern chamber of commerce thinks you should do, and I'll quote from the Thunder Bay Chronicle of April 2: "The association advocates investment in clean coal technologies to reduce emissions and keep the plants operating." Why don't you invest in clean coal technology and keep the Thunder Bay and Atikokan power generating plants open?

**Hon Mr Duncan:** First of all, we are committed to improving air quality in northern and southern Ontario. I would submit to the member opposite that the worst thing you could do to the north is allow air quality to deteriorate and affect tourism in a negative fashion, which is what's going to happen.

I'll tell the member opposite something else: I'll be in Atikokan this Saturday, meeting with that chamber of commerce. I've met with them down here. We're working co-operatively, something that party never understood, to ensure not only that we improve air quality in the north, but that we also improve job opportunities in the north.

I say to that member that this Minister of Northern Development has done more in six months to improve prosperity in the north than your government did in eight years. Never had the north been as ignored as it was under your government, and that has changed. We're going to be meeting with a number of industries in the northwest this weekend to ensure that jobs, growth and prosperity are shared there as they are in the south. That minister deserves credit—

**The Speaker (Hon Alvin Curling):** Thank you.

## CARDIAC CARE

**Mr Tony C. Wong (Markham):** My question is for the Minister of Health and Long-Term Care. In December 2003, Southlake Regional Health Centre started providing cardiac surgery and coronary angioplasty services, becoming Ontario's 11th advanced cardiac centre. This hospital provides advanced cardiac care for residents in the central-east region of the province. Minister, my constituents are interested in knowing what your ministry is doing to support programs such as these.

**Hon George Smitherman (Minister of Health and Long-Term Care):** Yesterday I had the honour of returning to Southlake hospital in Newmarket after an earlier visit in December. At that time, I had the opportunity to see the first successful cardiac surgery that had been completed by Dr David Fell and his team. Yesterday I had the honour, on behalf of the government of Ontario, to return to Southlake to announce the expansion of its cardiac care for the residents of York region, Simcoe county and the Muskoka district, with a commitment from the government of \$11.4 million in additional funding to support the cardiac program. It's an important step toward fulfilling our commitment to reduce wait times for cardiac surgery.

**Mr Wong:** Since it is vital that patients receive proper care in a timely manner, how will the program help to reduce wait times in cardiac care for this region?

**Hon Mr Smitherman:** We've identified the important challenge of reducing wait times as a key priority for improving the quality of medicare in the province. As a result of the \$11.4-million investment we made yesterday at Southlake in Newmarket, we're able to expand by 4,762 the number of procedures our health care system is capable of providing.

It is the 11th cardiac centre in the province, and it's an important step forward. We've got more to do, but I'm very proud to be able to say that we made a significant step forward to the benefit of the residents of Simcoe county, York region and the district of Muskoka.

## NUCLEAR POWER FACILITIES

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Your good friend and soulmate John Manley says that Ontario should build new nuclear plants despite the huge cost overruns and maintenance problems with existing nuclear plants. He says that new nukes will cost less than gas-fired plants or less than a conservation strategy. But something strange happened when the Ontario Clean Air Alliance wrote to you and asked for the economic modelling which lies beneath Mr Manley's predictions about nuclear. When they called and asked for the economic modelling, your Minister of Energy said no. You've said that you believe in open and transparent government. Why would your government deny that information? Why would you not allow that kind of economic modelling to be examined?

1510

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** To the minister.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** In fact, I met with Jack Gibbons yesterday. I indicated that the information he has requested will be provided. We did ask that they go through freedom of information for a very good reason: to ensure they get all of the information they want. I've also given him my undertaking that we will make sure the FOI request process is speeded up so they don't have to wait long.

We welcome a debate on all of the issues around this. Mr Manley has provided this government with one piece of advice. We'll be discussing this at some length. Again, I met yesterday morning with Mr Gibbons and gave him that assurance. My understanding is they filed the FOI request last Thursday. It's our intention to make sure they get that information as quickly as possible, with the approval of the Information and Privacy Commissioner. By the way, our hope is that that commission will be reappointed.

**Mr Hampton:** This is indeed passing strange. The Clean Air Alliance asks your government for the economic modelling numbers, and you tell them they have to go through freedom of information. Are you the Minister of Energy or not? Can you not simply call up and say, "Produce the economic modelling numbers," and produce all of the economic modelling numbers?

Why does the Clean Air Alliance have to go through this circus of going through freedom-of-information requests? If you're an open and transparent government, why hasn't this information been tabled here in the Legislature so they can see it and the public of Ontario can see it? Why this circus of freedom of information? Why do they have to go that route, rather than you simply making the information, and all of the information available?

**Hon Mr Duncan:** To respond to the member's question, yes, I am the Minister of Energy.

I don't consider freedom of information a circus at all. It's designed to protect the member; it's designed to protect the public; it's designed to protect organizations like the Clean Air Alliance to ensure that they get the information they require, so that a minister of the crown, or anyone else for that matter, cannot inhibit the release of that information. It's the prudent way to go. I acknowledge that it adds several days, in this case, to the process, but we think it's prudent and important to go through this.

I suggest to the member that freedom of information is not only not a circus—pardon the double negative—I think it's essential to the proper functioning of this Legislature, and to the transparency that this government is delivering to the people of Ontario.

#### COURT FACILITY

**Mr Jim Flaherty (Whitby-Ajax):** I'll address the question to the Attorney General, although it deals with

public infrastructure as well. The members opposite can figure out who should answer the question. It has to do with the proposed Durham courthouse.

There's been rapid growth in Durham region. It's the first or second largest growing area in the entire country. We have had an accused murderer escape from the inadequate facilities at the Rossland Road site. There are public safety, security and efficiency issues here, since our courts are operating, I think, at seven different locations in Durham region.

Through SuperBuild and the Ministry of the Attorney General and other ministries of government, there was a long process followed over the course of the last several years with RFQs, and there was some consortia that qualified, and then RFPs. My understanding is that there were at least three approved bidders through the RFP process, and that they're ready. What we're waiting for, what Durham region is waiting for—the police, the judiciary, the lawyers, the litigants—is, when is the announcement of the new Durham courthouse?

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I'll refer this question to the Minister of Public Infrastructure Renewal.

**Hon David Caplan (Minister of Public Infrastructure Renewal):** The member is correct that this is a project with a long history. I must say to the member, and he would know, that we have issued a discussion paper throughout Ontario, discussing and delving into various options as far as infrastructure renewal. We have inherited an enormous infrastructure deficit in this province.

What we have done is quite unique. We have set down five fundamental principles that will be followed when it comes to financing and procuring infrastructure projects in this province: first and foremost, that the public interest is paramount; second, that value for money has to be demonstrated; third, that appropriate public control and ownership must be preserved; fourth, that accountability must be maintained; fifth, that the process has to be fair, transparent and efficient. We will apply this test to the Durham courthouse as we will to infrastructure as we move forward. Had the previous government applied this kind of test, we would not have been in the mess that we are.

**Mr Flaherty:** It has all been done for you. Everything was done. The RFQ was done. The RFP was done. Everything had been done for you. In fact, the region of Durham, Minister, as you may or may not know, is kicking you out of the courthouse on Rossland Road. You're being evicted. Are you telling the 500,000 people of Durham region that they are not going to get a new courthouse? That's what I'm hearing from you. Unlike Peel region, unlike York region, unlike Barrie in the county of Simcoe, are you telling the people and the police and the judiciary of Durham region that they're going to have to wait four to six years when you can make the announcement tomorrow for this private financing initiative?

**Hon Mr Caplan:** Passing strange from a former Attorney General and finance minister who sat in cabinet and who did not advance this project one iota. We don't have to accept a lecture from you, sir, when it comes to renewing the infrastructure of the province of Ontario. You sat back, you did nothing and now you want to be a leader in this province? It is an embarrassment that this member would stand up and give a lecture to anybody in this House, because you did nothing.

We take our responsibilities seriously. That's why we've gone out with a thoughtful paper; that's why we've set down fundamental principles. The member would be well served to click on the Web site, to go there, to give a submission, because this is the first government that is serious about renewing the infrastructure of this province.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. Can I ask the minister to come to order. Could I have a new question.

#### NUISANCE BEARS

**Mr David Orazietti (Sault Ste Marie):** My question is for the Minister of Natural Resources. Yesterday, in Sault Ste Marie, you signed a memorandum of understanding with the Ontario Provincial Police and the Sault Ste Marie city police regarding nuisance bear management. Could you explain how this new working agreement between the Ministry of Natural Resources and the police will benefit Ontarians?

**Hon David Ramsay (Minister of Natural Resources):** I thank the member from Sault Ste Marie, who has a continuing interest in nuisance bear management in northern Ontario. As the member will be aware, the agreement we signed yesterday is basically a protocol between the Ministry of Natural Resources and the Ontario Association of Chiefs of Police that really sets out and defines the roles and responsibilities between the ministry and the police, especially in dealing with emergency nuisance bear calls.

In this case, the police are the first responders when there's an emergency, but now the Ministry of Natural Resources will be there with expertise in backing up the police in doing what is the right course of action for that particular response. As the member knows, the city of Sault Ste Marie has also signed in on this through their police department, and we look forward to that agreement carrying on throughout the season.

1520

#### PETITIONS

##### ONTARIO DRUG BENEFIT PROGRAM

**Mr John O'Toole (Durham):** "To the Legislative Assembly of Ontario:

"Whereas Ontario's seniors have worked long and hard to build the outstanding quality of life the citizens of Ontario enjoy today; and

"Whereas seniors' drug benefits enable older persons to lead healthier lives and avoid more complex care in hospitals and nursing homes; and

"Whereas, in addition to their taxes, many seniors already contribute toward their prescription drugs through deductibles and dispensing fees; and

"Whereas the vast majority of seniors face increasing costs on fixed pensions and cannot afford to see their incomes eroded further;

"Therefore, we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Legislative Assembly of Ontario not eliminate or reduce the provincial drug benefit provided to seniors."

I am pleased to sign this in support of the many seniors in the riding of Durham.

#### GO TRANSIT SERVICE

**Mr Bob Delaney (Mississauga West):** I have a petition to the Legislative Assembly of Ontario from a group of tired GO train commuters. It reads as follows:

"Whereas the city of Mississauga has, within a generation, grown from a linked collection of suburban and farming communities into Canada's sixth-largest city, and tens of thousands of people daily need to commute into and out of Mississauga in order to do business, educate themselves and their families and enjoy culture and recreation; and

"Whereas gridlock on all roads leading into and out of Mississauga makes peak-period road commuting impractical, and commuter rail service on the Milton GO line is restricted to morning and afternoon service into and out of Toronto; and

"Whereas residents of western Mississauga need to 'commute to commute,' driving along traffic-clogged roads to get to overflowing parking lots at the Meadowvale, Streetsville and Erindale GO train stations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Transportation and highways, instruct GO Transit to allocate sufficient resources from its 2004-05 capital budget to proceed immediately with the acquisition of land and construction of a new GO train station, called Lisgar, at Tenth Line and the rail tracks, to alleviate the parking congestion, and provide better access to GO train service on the Milton line for residents of western Mississauga."

As a resident of Lisgar myself, I'm pleased to sign it.

#### SEX OFFENDERS

**Mr Joseph N. Tascona (Barrie-Simcoe-Brampton):** I have a petition to the Legislature of Ontario which reads as follows:

"Whereas it is the right of every Canadian citizen to have the knowledge and the means to protect themselves and their children; and

"Whereas each act of a sexual offence against a child affects the quality of life for our nation's children, their families and the general public; and

"Whereas incidences of child exploitation, child pornography, child prostitution and other sexual offences against children in Canada are on the rise; and

"Whereas those who commit sexual offences against children are at high risk to reoffend;

"We, the undersigned, petition the Legislature of Ontario to press the federal government to pass new legislation that will: disallow parole of a sex offender who has refused treatment; require all released offenders to maintain treatment and be registered with their local police department within 24 hours of moving into a community, and bi-yearly after that; ensure all schools, daycare centres, community centres and other places where children amass are notified when an offender is released into their community; place the names of all persons convicted of a sexual offence against a child on a national DNA data bank, available to all law enforcement agencies across the country; enforce stiffer sentences upon conviction, with a minimum of three years and a maximum of 10 years for a first offence, a mandatory 10 years and a maximum of 20 years for second offences, and a minimum 25 years to a maximum life sentence thereafter."

I support the petition and affix my signature.

## TAXATION

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** We continue to receive petitions from places like Alice's Restaurant, the 18 Wheeler, the Arbour, the Gallery, Turkey Point Family Restaurant, D and D's and many other snack bars and restaurants. It's titled, "Hands Off Our Food Tax. Stop the 8% Meal Tax."

"Whereas the Ontario government has plans to tax meals under \$4, ultimately raising taxes for working families, despite a Liberal campaign promise of, 'I won't cut your taxes, but I won't raise them either'; and

"Whereas the food industry expects a drop in sales if the PST exemption is lifted, leading to job losses, primarily for youth;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Dalton McGuinty Liberals should support working Ontario families and youth through maintaining the provincial sales tax exemption on meals under \$4."

I will hand these over to Adrianna Swart, a page from my riding of Haldimand-Norfolk-Brant.

## ONTARIO DRUG BENEFIT PROGRAM

**Mr Cameron Jackson (Burlington):** "To the Legislative Assembly of Ontario:

"Whereas the Liberal government was elected after promising in their election platform that they were committed to improving the Ontario drug benefit program for seniors but are now considering delisting drugs and imposing user fees on seniors; and

"Whereas prescription drugs are not covered under the Canada Health Act unless administered in a hospital setting; and

"Whereas the federal Liberal government refuses to acknowledge this as a necessary health service despite the Romanow report's strong support for a national drug program;

"We, the undersigned, petition the Legislative Assembly as follows:

"To immediately and unequivocally commit to end plans for the delisting of drugs for coverage under the Ontario drug benefit plan;

"To immediately commit to ending plans to implement higher user fees for seniors and to improve the Ontario drug benefit plan so they can obtain necessary medications; and" finally

"To instruct Premier McGuinty to demand more health care funding from Ottawa instead of demanding more funding from seniors directly."

It has my signature of support.

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to present a petition on behalf of Sandra and Jimmy Wiley and the Steger family of Fort Erie that reads as follows. It's a petition to protect seniors from higher drug costs.

"To the Legislative Assembly of Ontario:

"Whereas during the election campaign the Dalton McGuinty Liberals said they would improve the Ontario drug benefit program but now are considering delisting drugs and imposing higher user fees; and

"Whereas the Liberal government has increased costs to seniors by taking away the seniors' property tax rebate and increased the price of hydro;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors' drug fees."

And in support, here is my signature.

## LANDFILL

**Mr Garfield Dunlop (Simcoe North):** My petition is to the Legislative Assembly of Ontario.

"Whereas the county of Simcoe proposes to construct a landfill at site 41 in the township of Tiny; and

"Whereas the county of Simcoe has received, over a period of time, the necessary approvals from the Ministry of the Environment to design and construct a landfill at site 41; and

"Whereas as part of the landfill planning process, peer reviews of site 41 identified over 200 recommendations for improvements to the design, most of which are related to potential groundwater contamination; and

"Whereas the Minister of the Environment has on numerous occasions stated her passion for clean and safe water and the need for water source protection; and

"Whereas the Minister of the Environment has indicated her intention to introduce legislation on water source protection, which is a final and key recommendation to be implemented under Justice Dennis O'Connor's report on the Walkerton inquiry; and

"Whereas the Minister of the Environment has announced expert panels that will make recommendations to the minister on water source protection legislation; and

"Whereas the Ministry of the Environment will now be responsible for policing nutrient management; and

"Whereas the citizens of Ontario will be expecting a standing committee of the Legislature to hold province-wide public hearings on water source protection legislation;

"We, the undersigned, call upon the government of Ontario and the Ministry of the Environment to immediately place a moratorium on the development of site 41 until the water source protection legislation is implemented in Ontario. We believe the legislation will definitely affect the design of site 41 and the nearby water sources."

I'd like to sign my name to that as well.

#### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr Norm Miller (Parry Sound-Muskoka):** I have a petition from my constituents and it reads:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario disability support program was created to provide support for disabled Ontarians; and

"Whereas Ontario disability support program recipients have not seen an increase in payments for 11 years;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the province of Ontario increase Ontario disability support program payments by a minimum of 5% and, further, that annual cost-of-living increases occur to address inflation;

"That the province of Ontario permit spouses to obtain employment without penalty to the Ontario disability support program recipient so that they might live with dignity;

"That the province of Ontario recognize transportation and telephone services as essential to Ontario disability support program recipients."

1530

#### ONTARIO DRUG BENEFIT PROGRAM

**Ms Laurie Scott (Haliburton-Victoria-Brock):** "To the Legislative Assembly of Ontario:

"Whereas during the election campaign the Dalton McGuinty Liberals said they would improve the Ontario

drug benefit program but now are considering delisting drugs and imposing higher user fees; and

"Whereas the Liberal government has increased costs to seniors by taking away the seniors' property tax rebate and increased the price of hydro;

"We, the undersigned, petition the Parliament of Ontario as follows:

"The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors' drug fees."

#### TAXATION

**Mr Ted Arnott (Waterloo-Wellington):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas every day, 1.5 million Ontarians, including seniors, health care workers and students, purchase a basic meal that costs less than \$4; and

"Whereas a new 8% tax on such meals will disadvantage low-income Ontarians; and

"Whereas adding a tax for the first time on a glass of milk, a salad, a bowl of soup or a cup of coffee will affect a total of 1.5 million Ontarians each and every day in restaurants and cafeterias across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not impose a new 8% tax on basic meals under \$4."

It's signed by a substantial number of my constituents, and I support it as well.

#### FIRE PROTECTION SERVICES

**Mr Norm Miller (Parry Sound-Muskoka):** I have a petition from my constituents in Parry Sound-Muskoka, and it reads:

"To the Legislative Assembly of Ontario:

"Whereas municipalities are solely responsible for funding fire services; and

"Whereas the previous government committed \$40 million to help small and rural communities in the purchase of new emergency firefighting equipment;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the province of Ontario proceed with a program to support municipal fire services for the purchase of life-saving equipment and that the province develop a rural response strategy in consultation with municipal fire services."

I support this petition and I sign my signature to it.

#### PHYSIOTHERAPY SERVICES

**Mr Cameron Jackson (Burlington):** I have about 3,000 petitions today. The top 10 pages are from Windsor. I'm pleased that the House leader is present today.

"To the Legislative Assembly of Ontario:

"Whereas seniors and other qualified patients require the continued provision of physiotherapy services through schedule 5 clinics to promote recovery from medical conditions and continued mobility and good health;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The patients of schedule 5 physiotherapy clinics request the continued support of the Legislative Assembly of Ontario for provision of OHIP-covered physiotherapy treatment to qualified seniors and others in need of these vital health care procedures."

This petition—and there are quite a few more coming—has my signature of support.

#### MOTORCYCLE INSURANCE

**Ms Laurie Scott (Haliburton-Victoria-Brock):** "To the Legislative Assembly of Ontario:

"Whereas tens of thousands of responsible motorcyclists are being hit with huge increases in insurance or are being denied coverage because of the type of vehicle they ride;

"Whereas the premiums for the mandatory insurance coverage for motorcyclists has increased on average over 40% in the past two years;

"Whereas many responsible riders can no longer afford to insure their motorcycles due to high insurance costs;

"Whereas sales of motorcycles in Ontario have dropped over 7% year-to-date this year, a figure attributed directly to the increase in insurance rates; and

"Whereas many businesses and individuals in the motorcycle industry are suffering due to the loss of sales and decreased employment high insurance rates are causing;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Please amend the insurance regulations to make motorcycle insurance more affordable and to ensure motorcyclists are treated fairly and equitably by insurance companies, brokers and agents."

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to present yet another petition on behalf of seniors, this time from the Fort Erie area—Murray and Vi Caplan, to name two.

"To the Legislative Assembly of Ontario:

"Whereas during the election campaign the Dalton McGuinty Liberals said they would improve the Ontario drug benefit program but now are considering delisting drugs and imposing higher user fees; and

"Whereas the Liberal government has increased costs to seniors by taking away the seniors' property tax rebate and increased the price of hydro;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors' drug fees."

In support, I affix my signature.

#### LANDFILL

**Mr Garfield Dunlop (Simcoe North):** Again, on the site 41 issue:

"Whereas the county of Simcoe proposes to construct a landfill at site 41 in the township of Tiny; and

"Whereas the county of Simcoe has received, over a period of time, the necessary approvals from the Ministry of the Environment to design and construct a landfill at site 41; and

"Whereas as part of the landfill planning process, peer reviews of site 41 identified over 200 recommendations for improvements to the design, most of which are related to potential groundwater contamination; and

"Whereas the Minister of the Environment has on numerous occasions stated her passion for clean and safe water and the need for water source protection; and

"Whereas the Minister of the Environment has indicated her intention to introduce legislation on water source protection, which is a final and key recommendation to be implemented under Justice Dennis O'Connor's report on the Walkerton inquiry; and

"Whereas the Minister of the Environment has announced expert panels that will make recommendations to the minister on water source protection legislation; and

"Whereas the Ministry of the Environment will now be responsible for policing nutrient management; and

"Whereas the citizens of Ontario will be expecting a standing committee of the Legislature to hold province-wide public hearings on water source protection legislation;

"We, the undersigned, call upon the government of Ontario and the Ministry of the Environment to immediately place a moratorium on the development of site 41 until the water source protection legislation is implemented in Ontario. We believe the legislation will definitely affect the design of site 41 and the nearby water sources."

Like my colleague Jim Wilson, I'm pleased to sign my name to this petition.

#### ORDERS OF THE DAY

##### GREENBELT PROTECTION ACT, 2003

##### LOI DE 2003 SUR LA PROTECTION DE LA CEINTURE DE VERDURE

Resuming the debate adjourned on April 13, 2004, on the motion for second reading of Bill 27, An Act to establish a greenbelt study area and to amend the Oak Ridges Moraine Conservation Act, 2001 / Projet de loi

27. Loi établissant une zone d'étude de la ceinture de verdure et modifiant la Loi de 2001 sur la conservation de la moraine d'Oak Ridges.

**The Speaker (Hon Alvin Curling):** Further debate?

Seeing none, is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those against, say "nay."

I think the ayes have it.

Call in the members. There will be a 30-minute bell.

Pursuant to standing order 28(h), I have a letter from the chief government whip to defer the vote until Wednesday, April 28.

**EMPLOYMENT STANDARDS  
AMENDMENT ACT  
(FAMILY MEDICAL LEAVE), 2004**

**LOI DE 2004 MODIFIANT LA LOI  
SUR LES NORMES D'EMPLOI  
(CONGÉ FAMILIAL  
POUR RAISON MÉDICALE)**

Resuming the debate adjourned on April 21, 2004, on the motion for second reading of Bill 56, An Act to amend the Employment Standards Act, 2000 in respect of family medical leave and other matters / Projet de loi 56, Loi modifiant la Loi de 2000 sur les normes d'emploi en ce qui concerne le congé familial pour raison médicale et d'autres questions.

**The Speaker (Hon Alvin Curling):** The member for Trinity-Spadina.

**Mr Rosario Marchese (Trinity-Spadina):** I believe we have unanimous consent to stand down our lead.

**The Speaker:** Agreed? Agreed.

**Mr Marchese:** I'm happy to speak to Bill 56, family medical leave. I've got to admit that I haven't canvassed all New Democrats, but I suspect they will be supporting this bill. I certainly will be supporting the bill. I have some concerns, and I will speak to those.

I welcome the viewers of this political channel. We are on live. It's 3:37 this afternoon, and it's always exciting to be here. I hope you're excited to watch us, or at least some of us, as you're sitting, slurping some beer at home.

The bill has this as its objective: Currently in Ontario, workers are allowed to take 10 days' family leave for the purposes of caring for an ill relative, and the Ontario Liberal government plans to allow employees to take six weeks of emergency leave to take care of ill or dying family members without risking their jobs. The point about this bill, and I suspect the reason most provinces are interested in adopting the companion legislation that was required in order to be eligible for these benefits, has to do with the following: As some senior Liberal folks spoke to this said, it will curb some of the estimated \$1 billion in direct costs, and an additional \$1 billion to \$2 billion a year in indirect costs, that Ontario businesses

pay due to absenteeism because employees do not have the flexibility to take unpaid emergency leave.

**1540**

From the standpoint of employers, this is obviously a good thing. If people need to take care of their dying relatives and leave because they're not eligible, this is a problem for employers, naturally, because they've got to go. So this is a cost to employers, and because this cost would be taken care of by this measure, by Bill 56, I suspect employers think this is a good bill to pass.

Another hidden benefit of unpaid leave is the estimated \$5 billion a year that caregivers save the Canadian health care system by stepping in with basic care instead of relying on nursing homes or home care to help their ill relatives. I suspect this is another reason that the government of Ontario, as well as many other provinces, have introduced companion legislation, because it is a saving for the province, indeed all provinces, and why wouldn't you do that?

We're not against savings, be they for employers or for governments, because at the end of the day this is a positive thing, and it's a positive thing for those who are eligible to be able to take care of ill or dying relatives.

I would remind those of you watching that to be eligible for benefits during the six weeks of leave, workers must have put in 600 hours in the previous 52 weeks. If you do not have the required hours, the 600 hours of work experience in your previous 52 weeks, you're not eligible. I would remind people watching that the problem connected with this is that in Ontario only 30% of unemployed men and 20% of unemployed women are eligible for employment insurance at any given time. Workers need to have worked 600 hours in the last 52 weeks to qualify; therefore, many workers do not qualify. That's important, because I suspect there are a whole lot of other people out there watching who think they would now be eligible. If you are a part-time worker and do not have the 600 hours of work experience, you're not eligible. So the category of people who are part-time are not eligible.

**Hon Christopher Bentley (Minister of Labour):** They can get the leave, but they don't get paid for it.

**Mr Marchese:** The Minister of Labour says they can go, but they won't get paid. Thank you for that contribution.

If the Minister of Labour believes the statement he made is unfair, that might be one of the things he would want to send to the subcommittee for hearings to make it possible for such a change to happen so those who are part-time workers could be made eligible if the Minister of Labour felt it was important to those individuals who earn so little working part-time, because it's probably the only work they can get. If he felt it was important and he agreed with me, he would want to send that to the subcommittee when we hear deputations on this bill.

So, Minister, it's not helpful to say, "They can leave; they just won't get any money," because workers who work on a part-time basis have little money to save. Whatever little they earn is probably being used for their

own personal care, for the safety of the home they hopefully are living in—rents in Toronto are pretty high, and if you're working at one part-time job, you're not living in good accommodation, I can tell you. Most part-time workers work hard, and sometimes they work at two or three jobs to make ends meet.

When we look to what other provinces have done, it might encourage the Minister of Labour to perhaps take the baton from Quebec and say, "If they can do something different in Quebec, perhaps the Minister of Labour in this Liberal government here in Ontario might want to do the same."

In Quebec they have done something different. In Quebec they have increased compassionate family leave to 12 weeks instead of eight. Quebec legislation provides that an employee who has three months of uninterrupted service may be absent from work without pay for a period of not more than 12 weeks, over a period of not more than 12 months. If Quebec can do that on its own, Ontario can; Ontario could. Ontario could lead as well.

If the Minister of Labour thinks about what Quebec has done, they might want to send the bill, as we obviously anticipate they will, to hearings so that deputants can speak to not only what's good about this bill but also what can be improved. When we look to other jurisdictions in terms of improvements, Quebec is one, and deputants might want to speak to that.

Obviously, Quebec must have felt that this is important to family members, that increasing the amount of benefit from eight weeks to 12 weeks is a good thing for families. It's compassionate leave. It means there's a desire in that society for people to have a greater amount of time to spend with their loved ones who are seriously ill or dying. I praise Quebec for that. It's a simple measure. I would hope the Minister of Labour would think this is something that he too might want to reflect on, perhaps propose and, hopefully, implement it himself.

In other jurisdictions, like Yukon, the definition of "family" includes siblings, grandparents, grandchildren, sons- or daughters-in-law or any relative permanently residing in the employee's residence. Ontario restricts eligible family members to children, spouse and parents. If Yukon can lead by expanding who is included in the definition of "family," I would think, and I would hope, the Minister of Labour here in Ontario would want to follow suit.

The definition of family is greater than children, spouse and parents. In many families, and in many societies within our own Ontario population, grandparents are a big part of family life. In fact, some families couldn't get by without having grandparents taking care of grandchildren in particular. I suspect they see that as something they would want to do, something they do willingly. It's an incredible burden, but an incredible benefit to families. In most cases grandparents do it willingly and in some cases they have no choice. If grandparents are not taking care of grandchildren in some or many cases, most working families could not cope with paying their homes or paying the rent.

If you're living in downtown Toronto in the riding of St Paul's, you're probably paying a whole heap of money on rent. The member from St Paul's, I suspect, knows this. Rents have skyrocketed in the last four, five or six years under the Conservative regime, to the point where most people can't afford the rents. If they didn't have grandparents taking care of one, two or three grandchildren and a family had to pay \$1,000, \$1,100 or \$1,200 for each child, it would just make it impossible for people to live in this country. Grandparents are an important part of the definition of family, an important part of that issue of social solidarity. Grandparents benefit not just their children, but society and governments. We think governments understand that, including Liberals. So if Yukon can do it, the Minister of Labour from Ontario can as well.

### 1550

I often think about this issue of employment insurance. This is not the place to attack the federal Liberal government, but I have to tell you that, yes, they made this possible, and yes, it's a good thing, but their definition of who qualifies, their 600 hours of eligibility in the previous 52 weeks, is not a great thing. I remind you, Speaker, as the Liberal that you were, that you still are, the federal Liberal government made incredible restrictions in this employment insurance benefit plan that people have.

I remind those watching that millions of Ontario and Canadian workers pay into the employment insurance plan. The federal government takes home at the end of the day billions of dollars from people who, in some cases, do not qualify because they don't have the eligible hours to get employment—or, in the old way we used to say it, unemployment—insurance. It's Liberals at the federal level who gave fewer benefits and restricted the hours under which people were eligible: more money being paid into employment insurance, less money going out to those who are unemployed, making it harder for many, many workers to be eligible for employment insurance.

It's scandalous that a Liberal Party did that. What's scandalous even further is that the way the federal Liberals dealt with their deficit at the national level was by cutting unemployment insurance benefits. Some 40% of the national deficit was made up because of the cuts they made to unemployment insurance, if you can believe that. They're raking in billions of dollars and giving less money out to the workers. This is under a Liberal regime federally. Boy, would I like to take some time to talk a little more about that.

But these are Liberals with a heart. These are Liberals who have compassion for the worker. These are Liberals who wouldn't mistreat workers. These are the very same Liberals who reduced their deficit on the backs of the unemployed, by sucking money out of their pockets for employment insurance and socking it to them when they become unemployed—scandalous.

How do Canadian workers take that? How do Ontario workers accept that? Why is it they keep on voting for

Liberals at the federal level? I'll never understand it. Why, I meet people in my riding who talk about pensions all the time. They say, "I can't live with the pensions we get from the federal government." Insurance rates are going up: house insurance, car insurance. Property taxes are going up, gas rates are going up and hydro rates are going up, courtesy of the current Liberal government. They're saying, "We can't cope any more. We just don't have the money to be able to pay all these bills we're getting." Then they make reference to the pensions at the national level.

I say, good Lord, why do you keep on voting for Liberal members at the federal level? They come to your door. Why don't you complain to them instead of complaining to me that you're not making enough money to pay your bills? Why are you so afraid to tell the federal Liberals who come to your door that you're sick and tired of having your pension frozen, year in and year out? You can't pay your bills, but you keep on voting for them. The best way to teach them a lesson, to send them a message, is not to vote for Liberals.

That's what I would do, but far be it from me to tell the Ontario voter who to vote for, because you see, I trust Canadians to do the right thing. Sometimes they do and sometimes they don't. At the end of the day, to use that worn-out phrase, that hackneyed phrase, people will do what they think is right.

I wanted to take this opportunity to attack federal Liberals on the issue of pensions and on the issue of unemployment insurance, because I enjoy that. You know that, Speaker. But to this bill—

**Mr John Wilkinson (Perth-Middlesex):** Oh, the bill.

**Mr Marchese:** Well, I did speak—

**Mr Wilkinson:** Maybe you did.

**Mr Marchese:** Did you agree with me on some of these issues I raised? Let me know. Nod in approval or disapproval.

I hope the Liberal members agree that this must go to committee, because it's a good bill, right? Because it's a good bill, you want to send it out so people can tell you how great the bill is and blah, blah, blah, right? OK.

**Mr Wilkinson:** We need to get it passed.

**Mr Marchese:** We need to get it passed. For sure, yes.

New Democrats, as far as I can tell, agree with it. I'm not sure about all the members—I haven't canvassed them—but I think they agree.

So we'll send it out to committee. What I want is to be able to say, "Now let's look to see what other jurisdictions have done, to see whether we, rich Ontario, could do the same as Quebec where they've expanded compassionate leave to 12 weeks instead of eight." Do you think it's a good idea?

**Mr Wilkinson:** It's a jurisdictional problem.

**Mr Marchese:** No, it's not a jurisdictional problem.

*Interjection.*

**Mr Marchese:** There's some problem of—we're discussing it. Minister of Labour, we're chatting at the back and he says, "It's jurisdictional." I say, let's look to

see what Quebec has done to see if maybe we can find the money to do it. Who knows? We might.

**Hon Mr Bentley:** You don't want us to listen to BC and Alberta.

**Mr Marchese:** No, let's not look to Alberta. Let's not look to your Liberal counterparts in British Columbia either, because they're scary. That's a scary lot. Let's not look at them.

*Interjection.*

**Mr Marchese:** Well, let's look at other jurisdictions as well. Let's look to see what Alberta is doing and what British Columbia is doing. Let's do that too. Put everything on the table. I would hope we would emulate those provinces we can be proud of, rather than emulate those provinces we either do not agree with or despise, perhaps—

**Mr Wilkinson:** Ashamed of.

**Mr Marchese:** Or might be ashamed of, because I'm certain that many of you do not relate to Liberal Premier Campbell—scary.

*Interjection.*

**Mr Marchese:** I know what you mean.

Put it all on the table. Let's put Yukon on the table. Yukon has expanded its definition of a family member. I suspect a lot of Liberals think it's a good idea—yes, possibly. It's not jurisdictional. The definition of "family" could possibly be expanded. I am convinced the minister is a reasonable man. I suspect he is. He should look at that.

We should look as well at part-time workers. Could part-time workers be eligible for paid leave? I know they're eligible to leave and not get paid. I know that, Minister. Please. I expect you to be generous, not just a reasonable man. Let's look at part-time workers perhaps being eligible to be paid to take leave from their work to take care of their dying ones.

There are things we want to consider in committee. I hope Liberals agree with that. Hopefully we can improve this bill.

**The Acting Speaker (Mr Kevin Daniel Flynn):** Comments and questions?

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I appreciate the comments made by the member from Trinity-Spadina. In my very short two minutes I want to say that in reading over the bill—I have had a chance to read it over—it really speaks to compassion. I think the government really is attempting to show some compassion and to allow the people of Ontario to allow compassion.

This week in the news I've been hearing that the Dalai Lama is in Toronto. He's been speaking. Interestingly enough, he speaks about compassion. It's something that crosses almost all religious barriers, all cultural groups. It's something that evolves over time. Even back in the 1960s, you had the Maharishi—I think that was his name—who had come from India, and was here in—at least he came to England. I know he met with the Beatles, George Harrison and other individuals. Again, it was all about compassion.

What I think we need to look at here is the evolution of compassion. In this bill today, I think, more than anything else, the Liberal Party, the government, is indicating that we want to show compassion. Maybe we're not the same as the Dalai Lama or the Maharishi or others who are of the spiritual realm, but in a legislative setting, this is the sort of law that is needed. It allows individuals to care for people who are dying. It is something that is welcome, I think, to those individuals who require it. It is common sense, and it is something that I hope all members of this House can support. So I thank you for the opportunity to comment on this bill.

**1600**

**Mr John O'Toole (Durham):** It's a pleasure to see the member for Oakville in the chair and to also respond to the member for Trinity-Spadina. I look at this bill as a move toward compassion. If you look at it in detail, you'll find there are some severe restrictions here. First of all, the employee has to take an unpaid leave, and that constitutes a problem, as has been said by the member for Trinity-Spadina, specifically excluding people in part-time employment.

It also is very specific with respect to the entitlements. For instance, the case I'm thinking of is a family member, a child perhaps, who is in very serious medical condition. In subsection (6) it says, "If two or more employees"—that would be the mother and father, probably—"take leaves under this section in respect of a particular individual, the total of the leaves taken by all the employees shall not exceed eight weeks." In other words, there are some limitations here.

Imminent death has been outlined here: A qualified health practitioner must certify that the individual is in serious medical condition with a significant risk of death. So there's a bit of softness in that.

Under "Further leave," subsection 3(11) says that "the employee may, in accordance with this section, take another leave and, for that purpose, the reference" is subject to subsection (6), "the first certificate."

I think they could learn a lot in this bill, because we had a compassionate leave proposal in our last budget, which was cancelled in Bill 2. That would have allowed people to have the caregiver tax credit. If the minister was really listening today, he'd look seriously at giving a caregiver tax credit to those people who are looking after the frail elderly or others dying.

**Ms Shelley Martel (Nickel Belt):** It's always a pleasure to listen to my colleague from Trinity-Spadina. I want to reinforce what is at stake here, what the issue really is. The issue is, how many Ontario workers will be able to afford to take compassionate leave? That is the key.

I'll give you an example, because I have seen it happen on the federal level with respect to parental leave. A couple of years ago, the federal government extended parental leave to 52 weeks, and it provides EI benefits for that period of time. But suffice it to say that the EI benefits do not reflect that worker's full-time pay. In fact, the benefits are about two thirds of what you would be

making if you were working in your regular job. I don't know how many women I have talked to who have said that while they desperately wanted to stay at home for the year for parental leave, they could not afford to do so. They could not afford to do so because the EI benefits were so low.

Now this government comes forward with a proposal for compassionate leave, and I don't have a problem with that except it's silly for you to say that it's OK if people don't get paid, they should just take it anyway. That's a silly comment to make, because the question of affordability is a real one for many people. Too many people in Ontario cannot afford to take eight weeks of compassionate leave without pay, and we need to deal with that.

It's a good thing to have compassionate leave. The reality is that too many people who will want to use it won't be able to afford it, because they can't go eight weeks without pay.

**Mr Bob Delaney (Mississauga West):** In the spectrum of stress, the death of a family member ranks among the highest on the scale used by behavioural scientists to measure the impact on an individual. However inevitable it is that each of us and everyone around us must pass from this world, it is one of life's greatest challenges when a loved one is at death's door. While an event like a birth or a wedding is an occasion to celebrate, and so cause families to want to be together, a significant risk of death is a crisis that causes families to need to be together.

For an employer, this courageous piece of legislation simply recognizes accepted practice among responsible and reputable companies. For employees, this bill removes any hesitation or stigma one may have to ask an employer for unpaid leave.

The definitions that circumscribe which family members qualify and how long an employee may remain on leave are both specific enough to limit the risk to an employer and flexible enough to allow an employer and an employee to reach a compassionate compromise.

We expect this bill will pass with minimal debate. Indeed, what compassionate society would not want to do this?

From the perspective of an employer, this enables the organizational memory to be retained by not running the risk of losing a valued employee. Employees can focus on the needs of family members around them without compounding their personal stress with a concern about their employment status.

Bill 55 is a good bill. This is an easy decision, and it's a piece of legislation whose time has come.

**The Acting Speaker (Mr Ted Arnott):** That concludes our time for questions and comments. The member for Trinity-Spadina has two minutes to reply.

**Mr Marchese:** Again, we're not speaking against this measure. What we're saying is that this is a useful measure, a good measure. It doesn't go far enough in terms of what it can do or ought to do. Imagine, how could we be against any compassionate move that allows some in-

dividuals to leave the workplace and have access to unemployment insurance if they're able to access unemployment insurance? Why would we be against that?

The point the member from Nickel Belt mentioned—that's a speech in itself—is that some families can't afford to do it. And remember that the burden falls mostly on women. Women are the ones who have to take on the burden of taking care, generally speaking. I'm not saying this is a good thing. This is a reality that many women face, and many women simply can't do it, can't afford to do it, but many do because they have no choice. When they do it and are not eligible, it's painful, and when they do it and all they get is up to \$413 a week, it's not enough, so they have to make sacrifices. My point is that we can do more, need to do more to help families out, to help women out. If we don't, the burden is just immense.

We need to look at improving home care and long-term care. I have the experience with my mother, who was 93 years old on April 25th and, boy, we've got a person coming in twice a week to do a bath. For those of us who are working and can't get there, it's painful.

Unless we improve home care for many working families we are all, as a society, in trouble. So is this bill, this compassionate bill, a bad one? No, it's a small measure. So much more needs to be done, so much more.

**1610**

**The Acting Speaker:** Further debate on Bill 56?

**Mrs Carol Mitchell (Huron-Bruce):** I'm very pleased to be able to rise today and support Bill 56, the Employment Standards Amendment Act (Family Medical Leave). I will be sharing my time with the member from Pickering-Ajax-Uxbridge.

As has been stated many times in this House, this legislation will give employees the option to take up to eight weeks of unpaid time off from work to care for a dying family member. Their jobs would be protected while on this leave, allowing them to take time off without worrying about being able to retain their jobs.

This legislation, if passed, would provide a time for working people to be absent from work so that they may deal with their immediate priorities: caring for a loved one during their last days. Everyone covered by the Employment Standards Act would be eligible.

I wish to speak about the impact Bill 56 will have on our rural communities. Elderly citizens make up a very large part of the population in my riding. Rural ridings exceed the provincial average for a senior composition of our ridings.

Independence has been, and will continue to be, a characteristic of our life. Independence is not only a part of, it is a strength of our rural communities. Many of our older citizens wish to remain in their own homes during their last years and days. People, given a choice, will choose to remain in their homes as long as possible with the support of the people they love rather than an institutional environment, a hospital or a long-term-care facility.

Unfortunately, this choice is not always available. A recent study showed that 36% of dying patients had to be admitted to hospital and not because of medical necessity. It was because their families could not provide the care they needed at home. Bill 56 will make it possible for them to receive help from their own family members.

In Ontario, we have a generation who are parents and who are also in a position to take care of their parents. This generation in the middle is under a great deal of stress. In my riding, we see families where both members are working, plus raising a family. Time is a very precious commodity in our families. When we add the distance people must drive in rural areas to get to their jobs, we realize how short that supply is. In a rural area many families tend to stay for many generations, and people taking care of their parents is certainly a very common theme in our rural communities.

Most Canadians who have taken time off from work to provide care or assistance to a gravely ill family member did so for six weeks or less. This bill would protect their jobs during that very difficult time.

Also, employees who are able to take leave to care for gravely ill family members will return to their workplaces better able to focus on their jobs and are likely to be far more loyal to their employers. People should not be forced to make the impossible choice between keeping their job or caring for a dying loved one.

We owe it to families to support them in their time of need. This eight-week leave will reduce that pressure. It will create stability, which is necessary at such a very emotional time. The employer will benefit when the employee will not be torn between balancing many roles. It will provide the employer a clear-cut option and will allow the staffing needs to be resolved over a longer term.

For employers it provides a benefit by creating a more positive, loyal and productive workforce. This is a shared responsibility. Employers are not asked to share the cost of providing family medical leave, unless it is an item that is negotiated between employer and employee.

This bill will encourage a long-term, productive planning process. Studies show that about one in four working Canadians experience high levels of caregiver strain and much of this is coming from the difficulties of balancing their work life with the demands of caring for a very seriously ill loved one. This strain is not beneficial to employers or to employees. When an employee is emotionally, physically or mentally drained, everyone suffers. Taking care of parents and loved ones is a quality we value in our society. This bill is another step that will deal with the challenges we face today.

People should not be forced to make the impossible choice between keeping their job or caring for a dying loved one. Employees who have been given the opportunity to take time off and then return to their jobs will return with a renewed sense of commitment, with the energy and focus to perform the work that is required. Health care is already feeling the strains of dealing with

an elder population, and family support is an important part of our total health. If we are to be compassionate Canadians, we must and will rise to the challenge.

By introducing this bill our government is making real, positive change by providing job-protected medical leave for families who need to care for the gravely ill. In our families, it is such a struggle to meet the needs of every family member. Time constraints, as we all know, have become much more complicated, especially as our families age. Within families, and then in closer extended families, when we get to our grandparents, it becomes much more difficult. This will give us, as employers or employees, the ability to meet our families' needs. What better way can we do that than by giving of ourselves to our families? When we are in our final stages, what we would hope for is dignity and our family around us at a time of need, and this bill will allow that. Also, as a family, it gives us the opportunity to show the caring and compassion that we would choose to give our family members who are close to us.

I rise today, once again, in full support of this bill. I cannot say any stronger words than how important it is to myself and to my riding. In our rural communities, we have many other stresses that are created by time and distances. It is with my support and my words that we can bring this forward, and my congratulations to the minister. It certainly is much needed in our communities. I congratulate you on identifying the need in our communities.

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I appreciate following the member for Huron-Bruce in speaking to her constituency. I must say, in my constituency, it's quite a mix. It has a relatively intense suburban community in which we have not only aging members of our community, but also many young families because of the growth that's going on. It also includes the historical township of Uxbridge, with many seniors now living in that community, probably more so as a percentage number than live in the more urban, developed portion of the riding. So we have that diversity as well, and the needs.

1620

As one who was born in the first few years of the baby boom generation and thought of myself as a baby boomer until fairly recently, when my children began to take particular notice of the change in hair colour; when my grandchildren, as they did a few weeks ago, as I was coughing or making some gesture of being exasperated, they said, "Why is it that old people always do that?"—there was a certain reality that being part of the baby boom generation was changing. I was probably much more a part of what we refer to as the sandwich generation, somewhere between the younger members of my family—my children and now grandchildren—and aging parents and in-laws who are aging, and all of the health stresses that go with that.

This particular piece of legislation, I think, strikes home for all of us, but maybe particularly those who have a family who are at both ends of the spectrum, from the

youngest, in children and grandchildren, to those who are the more elderly, in parents and grandparents. My wife's grandmother is 96 years old at this point and still living—although not on her own—Independently. Yet I know the type of care—as we plan and think about what's going to happen in the not-too-distant future, how you manage to care for and provide family opportunities, of parents and children and spouses—to manage that.

The Minister of Labour should be commended for bringing the legislation forward. This speaks very strongly to our Liberal values: caring for the most vulnerable in our society; caring for the most vulnerable in our community. Who can be more vulnerable? Those whose prognosis for life is diminished to something less than six months, whose prospects of death are terminal and, to some extent, measurable: Those are the most vulnerable. So are those who provide care for those. They're emotionally and physically vulnerable to the 24-hour, seven-day-a-week stressors that come with that, either through direct care or support care. They're mentally vulnerable, to the challenges of everyday life in the work environment in particular—for being productive, for being safe, for making a valuable contribution, but vulnerable from the internal context of their ability to function mentally, their own capacities to put their own life in perspective with terminally ill family members, and not just those who may be older, not just necessarily parents, but maybe their own children. Parents are not supposed to outlive children, but we know that happens.

This will provide a window of opportunity. It's not the be-all and end-all of a piece of legislation. It's a straightforward and direct piece of legislation. It's not going to meet every need, but clearly it's going to set out some opportunities for leave without fear of job loss. Ideally, it will put into the workplace a sense that there's a need for the employers, the employment base, to look at the needs of community and build into their own systems not only the provision for leave but potentially the opportunity for compensation during that leave period.

The choice between jobs and caring for a family member is a dreadful choice for any of us to have to make. I'm sure that most of us have worked with, been involved with, families that have dying family members and know the consequences of that in a work environment. I know in my own experience, the past 15 years in municipal governance, where I served as the mayor of a municipality, I had two members of my council pass away at different times, both of them in their prime years of late 40's and early 50's; one from cancer, over a six-to nine-month period, and one from ALS. It was a year from the time they were diagnosed until the time they passed away.

I saw first-hand as a mayor, with people who were good friends and colleagues working directly with me, what happened to them physically, but I also saw what happened to their families. I saw what happened to their spouses in particular, in the need to care for these individuals and provide support for these individuals. I also watched what happened in their work environments, and the concerns they had about their job considerations.

These are not choices that a compassionate and caring society wants to have made. This legislation will begin to move in a direction that will provide for the needs of those in our community who are diagnosed with illness, the prognosis of which is short term; provide for the support they will want and very much need during that time frame; and provide family members the opportunity to provide for the care they will be looking for. The stressors, the anxieties, are immense.

We've come a long way, I guess, over the past few decades. Parental leaves now are considered standard. It wasn't all that long ago that parental leaves of any sort were solely in the context of the birth process and a short period thereafter, and the mother had to be back in the workforce if she was working. The idea of having parental leave for the father was unheard of. It's only been over a relatively short period of time that consideration for a father to take parental leave to provide support in the family, to have time with a new infant, has really taken hold. I think in that context this legislation will be a step in the direction we want to go in over the longer term.

Bereavement leaves have become common. It's an expectation that at the point of death there will be some leave, some acknowledgement not just for the immediate family but increasingly for a broader sector of the family, the broader relationships that were talked about earlier by other members that go beyond the parent, the child and the spouse—the grandparent or aunt or uncle or niece or nephew might pass away—and provision of limited bereavement leave through the job environment in that process. Maybe at some point, should this legislation be adopted, as it works its way through and becomes more accepted and commonplace, there will be windows of opportunity for those kinds of considerations.

Eight weeks isn't a long time, it's not an extended period of time for people to have with family, but it does provide, whether it's a full eight weeks or one, two or three weeks, when the passing can be rather sudden, a couple of opportunities. It provides an opportunity, obviously, for care. It also provides an opportunity for people to put their house in order, to be there to support the ill family member emotionally, to come to grips with some issues one might face as a family member in reconciling differences, but also reconciling what needs to happen on a go-forward basis to put the physical house in order, put the financial house in order and put the emotional house in order. How is one going to care for the remaining family members at the end of the day? As the caregiver during that period of time, can you provide for those who are dying a sense of calm, a sense of understanding that the spouse they might be leaving, the child they may be leaving, the parent they may be leaving will be taken care of, that you as a caregiver understand what the needs are of those who are in the last stages of their life, that they can leave with a sense of calm during that period of time?

It can be catastrophic. The absence of the caregiver can obviously affect the time remaining of those who are

passing away, but it can affect the time and nature of the sense of being full and of being able to provide for that dying individual in the way we all want to.

At the end of the day, this is legislation I'm sure members on all sides will want to support. We may differ on whether it meets all the needs, whether it reaches out as fully as it might, whether there should be direct compensation. That's going to be part of the debate. But, at the end of the day, I can't see where there won't be due consideration by all members for the passage of this legislation.

**The Acting Speaker:** Questions and comments?

**Mr Garfield Dunlop (Simcoe North):** I'd like to make a few comments on the speeches by the member for Huron-Bruce and the member for Pickering-Ajax-Uxbridge.

This is one of those bills that's warm and fuzzy. I think anyone here is going to have enough compassion to support this piece of legislation. I understand why it is a warm and fuzzy bill. You've got a lot of real issues and real problems over there and you need some warm and fuzzy issues to work with.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Garfield, we're just trying to correct what you did wrong.

1630

**Mr Dunlop:** I'm just trying to be nice and already they're heckling me. It's incredible. I'm trying to be nice about this piece of legislation. I don't need to be heckled because I call it a warm and fuzzy piece of legislation. It is. We're going to support this, but there are issues around it.

Correct me if I'm wrong on this. I would like somebody from the opposite side to make a comment on it. I'm quite sure that this doesn't necessarily mean death. Someone can be really sick and have a leave of absence. I'm sure that applies to that as well. Maybe you can correct me in a comment after. I haven't seen that in there exactly.

I think many people in this House have been in a situation where they've had loved ones and close friends who needed a caregiver, and I would certainly support that. However, I guess my concern with this step—the next step, of course, will be a paid period of time. That's when we'll have to decide, with some of the comments made by Rosario, how far we can go with that and how much our employers can afford to give in that area. That will be the next step, I believe, in this piece of legislation. Anyhow, I enjoyed the speeches and certainly support the act.

**Mr Marchese:** I want to say to the two speakers who have spoken on this that we don't have to disagree on some of the issues that we have raised. I'm sure you agree with the problems we've raised.

Just to be clear, this bill allows people to take a leave for eight weeks without getting fired. That's really what this does. It also makes some people eligible for unemployment insurance, because if you're part time and you don't have the 600 hours, you don't qualify. So some people will be able to get some unemployment insurance

benefits and some won't. But the law really says that you'll be able to take up to eight weeks and not get fired. That's really the extent of the compassionate move. Not a big deal, right?

What it does is shift a whole lot of responsibilities and burdens to families, without the fear of being fired, and relieves governments of their obligations to worry about accompanying pieces of compassionate work or legislation they need to do, such as improving home care, to relieve those women, men and families who have to take care of sick and/or dying relatives.

*Interjection.*

**Mr Marchese:** I don't see it coming, John.

This is a nice piece of, as we say, compassionate work. But there are a whole lot of people here who are just not going to qualify. If they do qualify, the ceiling is \$413 per week, and a whole lot of people simply can't afford to leave work to take care of their families. That's why the argument we make is, let's look at what else we need to do to help families out, because while this won't make me feel guilty to leave my work because I know I won't get fired, it doesn't relieve me of the incredible burden I have to take care of without government support.

**Mr Kevin Daniel Flynn (Oakville):** I'm proud to participate once again. I was proud to participate in the leadoff of the debate with the minister.

I see this as a contract we make with each other. Although I always enjoy the comments of the member for Trinity-Spadina, I can't help but think that when my own parents died, they wanted me by their side. They didn't want a government employee; they wanted a member of their own family by their side. This allows that to happen.

We think it's a very good first step. It speaks to a basic need and something that we're all going to have to face one day, something that our parents to face and our children will have to face. It speaks to what we value in Ontario.

This bill, in my opinion, is deserving of the support of all members of the House. It talks to compassionate leave. It's the type of bill that you look at and you wonder, why has nobody else introduced this bill before? You wonder why no other party has introduced it before. It's the sort of bill that you look back at and say, "This is something we've always needed. It should have been in place before."

At this point in time, we're putting the bill forward—the minister has introduced it in the House—and we would like all parties to support it. We see it as a very good first step. We see it as a value, and we see it as a bill the people of Ontario will support as well.

It's quite simple. What is in the bill is that employees would be able to take up to eight weeks' unpaid time off from work to care for a dying family member. It's that basic; it's that simple. During that time, their jobs would be protected while on this leave, allowing them to take time off without worrying about being able to keep their jobs.

We've already talked, and other speakers have talked, about the impact of caring for a dying member of the family and how that affects you at work. I hope at the end of the day that all members support this bill.

**The Acting Speaker:** We have time for one last question or comment. I'm pleased to recognize the member for Burlington.

**Mr Cameron Jackson (Burlington):** I've listened to the comments of the member from Huron-Bruce, who seems to overstate how significantly compassionate this is when, in fact, it is yet another of the broken promises made by her political party and by Dalton McGuinty. It indicated it was going to go much further than this, and I will be speaking to that issue when I come to my comments.

The member for Pickering-Ajax-Uxbridge did acknowledge he would like to see the bill go further, and I support him in that view.

The problem we have here is that far too many questions are being raised by this legislation than fulfilling the kind of promise people thought they were getting when they voted for this government.

First of all, we have the whole issue of people who are currently participating in federal or provincial leave programs—whether they can suspend one and move to another, or if they are discounted because they're caring for someone else at home on maternity leave or pregnancy leave.

The whole issue around eligibility raises some serious questions. I don't know if the limited understanding of some family formations in this province—clearly we're talking about same-sex couples, and of course that's appropriate, and yet we deny the fact that there are families across this province where an aunt has essentially raised the family since the natural mother or father was killed in a car accident years and years ago. There are those kinds of exceptions that are all too common in our province.

We have issues around when we acknowledge this to be providing support for an individual. What about people who are currently in a hospital setting or in a hospice setting? Will they be fully eligible? If that's the case, then why is the government allowing that much money to be saved in the health system instead of focusing on compassion for these people?

**The Acting Speaker:** One of the government members has two minutes to reply. I'm pleased to recognize the member for Huron-Bruce.

**Mrs Mitchell:** First of all, I would like to thank the speakers from Pickering-Ajax-Uxbridge, Simcoe North, Trinity-Spadina, Oakville and Burlington.

I would just like to add a few comments to the member from Burlington. I believe this relieves pressure on the family. I find it very unfortunate that compassion demonstrated by members seems to become more the issue that is brought forward. I come from a very strong family background, and I bring forward this legislation that I believe meets the needs of the people of Ontario. So for me, this is a very strong step forward in supporting

what we believe in, what we want, what we think society should reflect.

As members of this House, we have the ability to vote in the way we can. I celebrate the democratic process, but I do not want members to lose sight that this is empowering the people of Ontario to help their families in their time of need, and I say to you, members in the House, what more could we do for our families of Ontario? Thank you for allowing me to speak again.

**The Acting Speaker:** Further debate? I'm pleased to recognize the member for Erie-Lincoln.

1640

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to contribute to the debate on Bill 56; and have enjoyed the comments by my colleagues in the Legislature. In my comments I'll address a number of areas.

First, some particulars about Bill 56: some areas where we see that some improvements could be made or, potentially, simple clarifications. I know the Minister of Labour has been in the House for the debate and was able to respond to some of our concerns during second reading debate, or if this bill goes to committee. I suspect, having been on the government side of the House for eight years, there may be a number of things left to regulation that cabinet will decide. But hopefully some of the debate in the Legislature will help inform those cabinet decisions down the road.

There are two other aspects. I think this bill falls into a particular context. While this, in the grand scheme of things, will not generate a great number of calls or letters to our constituency offices, because it is quite uncontroversial, two of the themes that play out in this bill are important to comment on. One is what I'm calling a bit of a Big Brother nature in the approach of the McGuinty government today. It is still relatively early days, but in the first half year to a year of a mandate, you set out a couple of themes about the thinking of the government in a number of areas—a bit of a Big Brother approach. This is a small piece of that, but I think this bill reflects a bit of the "government knows best" attitude we're seeing in a number of initiatives.

Second, there's an accumulated cost to small business. A government will decide between the good of a right or benefit to an employee versus the cost that is incurred by a particular business. If things were simply cost-free, we could really ramp up a number of benefits through the Employment Standards Act or other pieces of legislation and talk about how compassionate we all are, how much we all care and how much we're going to be benefiting workers in Ontario. What we have to weigh in that balance is the impact on businesses in the province, because businesses, as we all know, are the generators of wealth in our economy. Without entrepreneurs, without those who have the courage to invest their time, money and energy in a business and hire people, we would not have any revenue coming in to the province to support health care or education. We would not have in our ridings the kind of structures we do, like doctors' offices, hospitals or schools, without the hard work of businesses,

both small and large, in Ontario. The government itself creates no wealth; we simply redistribute wealth. So we always have to weigh the benefits we convey through legislation with the costs to business, and the risk that, as a result, businesses will either not hire as many people, or worse still, we'll see business closures or an exodus from the province.

Certainly the first number of months of the McGuinty government have not been auspicious in terms of job creation, and I think, and some of my colleagues could correct me, that we've actually seen job losses in Ontario under the leadership of Premier McGuinty. I expect that when the American economy picks up, we'll have some buoyancy in the job numbers in Ontario because of the significant proportion we export to the USA. That having been said, I believe the vast majority of policies the McGuinty government has brought forward are going to be a weight and accumulation on businesses in Ontario and have a negative effect on job creation, which will pale in comparison to the experience of last six to eight years, where we saw record job creation in Ontario and then responded with increased funding to provincial programs as a result of that wealth creation.

Let me give some specifics of some of the drawbacks I see in Bill 56—I'm going to try to be generous in the first criticism. It is sort of a kept promise—not really, but I think I'll be a little generous here: An effort was made to try to keep this promise. Certainly our expectations of promise keeping by the McGuinty government are relatively low; maybe they've leapt over the bar here. My recollection during the campaign and from being in debates with my opponent was that the promised legislation would be designed to help parents and others care for relatives who were seriously ill. For example, if someone's mother had a broken hip through an accident and was seriously ill as a result, particularly if she was a senior, a family member could benefit from this proposed legislation to assist her.

As I read Bill 56 that is before the Legislature—maybe I'll be corrected if I'm wrong—I believe the leave will be restricted solely to those cases where a medical practitioner says there is a risk of death within 26 weeks. Certainly those are the most grave situations, no doubt about it, but I think the impression that was created for the voters of Ontario was serious illness, meaning not only death but an example as I gave.

Another example would be an unfortunate circumstance where a child has contracted a terrible debilitating disease. Maybe the chances are quite strong that the child will recover. The parent needs to be there obviously to offer succour and support and to nurse the child back to health, but unless there's a risk of the child passing away within 26 weeks, a parent or relative would not qualify under Bill 56.

I think it is not a fulfilled promise. It's an effort; it's halfway. It may end up in the promise-breakers' club of broken promises because I don't think it truly fulfills the impression that was given to voters during the election campaign.

There are some promises that have been broken outright. For example, the promise to maintain the hydro cap would be on that list, with Bill 56.

**Mr Arthurs:** If we walked on water you'd say we couldn't swim.

**Mr Hudak:** No, I give you credit for that. I'm trying to be generous, I say to the member. I don't think this is as bad a broken promise as the hydro cap, for example. That was blatant. That was outright. The commitment to not raise taxes, I would argue, has been blatantly broken. I am very worried about the budget on May 18, which coincidentally falls several days after the by-election in Hamilton East. I'm worried about tax hikes and user fee increases that people would say, I think rightly, are at odds with Dalton McGuinty's campaign promise not to raise taxes.

The news today in the Legislature that after a \$200,000 public relations exercise, the Premier is now saying he has no intention of maintaining his commitment to balance the books—Lord knows until when—that is a blatant broken promise.

My constituents are not benefiting from the promise, whether it's a 10% reduction or, as I remember, up to a 20% reduction in auto insurance rates. In fact, I think a lot of colleagues on this side and I expect on that side of the House have received angry calls from constituents who are saying, "Where is my 10% to 20% auto insurance reduction?"

The Oak Ridges moraine is another example of a blatant broken promise. This is not a full broken promise—maybe a half-broken promise. I had a little line here; let me turn my page. It's not a broken promise. It is definitely a dented and bent promise. It's like if you grew a really long nose and it got dented or bent as a result of breaking promises. Mr Speaker, I hope that's within—I think that was OK; I think that was all right.

Let me give some specifics of areas where I hope there's clarification or improvement. I understand this legislation is born from federal legislation under Prime Minister Chrétien that extended leave provisions and asked the provinces to catch up in a number of areas. While I was not, and remain not, a big fan of Prime Minister Chrétien, I do respect that he advanced a legislative agenda in a number of areas that has put pressure on the provinces. Employment benefits would be one where you could argue that Prime Minister Chrétien brought forward some legislation, which I think his successor has failed to do in producing any mandate so far in Ottawa. That's probably a little bit off-topic.

There's a mismatch between the eight weeks of leave allowed and the 26-week period that's described in the legislation. I've got some questions I hope will be answered. What are the actual limits within a given year? Is it eight weeks within a given year, or are there circumstances, and how would they be defined, when you may benefit from two sections of eight-week period, particularly if the family is going through a long, traumatic, drawn-out process with a loved one?

Second, can that be spread throughout a year—two weeks here and six weeks there? What are the limits or

the flexibility that a family member would have in taking those eight weeks of leave from his or her place of business?

**1650**

With respect to incidents that occur out of the province—or, at greater risk, out of the country—if a relative has taken ill and fits within the definition of Bill 56 and the accompanying regulations, I'm not clear if that still applies. To be clear about what I'm saying, if the employee lives here in Ontario and the relative is in another province or abroad, I expect that it is covered, by the dialogue I've heard in the Legislature. I think it will be important to make that clear. What kind of processes are going to be put in place to compel doctors in other jurisdictions, or to assist them in providing the requisite documentation so that the ministry can give the green light to the employer so the employee can benefit from that eight-week period?

I expect it will be up to the employee to fund any bill if there's a doctor's note that's not covered by OHIP and the circumstances are out-of-province or out-of-country. Maybe we could have that responded to as well, if there are some extenuating circumstances where a family member could not afford to pay a doctor for a relative who was in Italy, for example. If there was a high fine that the family member could not meet, is there any assistance in those areas, particularly if there's a demonstrated need?

Third, regarding the treatment of essential workers under this bill, I would expect essential workers are not covered by this legislation. I think that's a basic understanding. If they are, if they're treated in some way, what is the plan that's going to be in place in the health care system or in police forces or fire services to ensure that the individual is replaced in the work force so the public is not put at any risk or in any jeopardy.

We made great strides under Premier Harris and Premier Eves in increasing the number of doctors, nurse practitioners and police officers in Ontario, but there still is more work to be done. If I visited any of my doctors' offices in the six municipalities I represent, I think each would say they need more doctors, and more nurse practitioners as well, to put that piece of the health care puzzle in place in Niagara.

The opening of the first new medical schools in the province happened under the Harris-Eves government, increasing the enrolment in those programs. I was actually very pleased on behalf of the Minister of Health at that time, Elizabeth Witmer, to help take through the legislation for nurse practitioners in the province. Strides have been made and if they're covered by this legislation, I think it's important to ensure that we have people who can take their place in the health care system, and that the kind of flexibility exists to ensure that taxpayers in the riding of Erie-Lincoln can be guaranteed access to health care or professionals in police or fire.

With respect to existing agreements—I have this numbered as my fifth concern or point of clarification in the legislation—if there's an existing agreement with an

employer or a union contract, which piece will override? Will it be the legislation in Bill 56 that would come into play? Would it be the existing agreement they have through contract or through arrangement with their employer, or would you benefit from both? Would one be tagged on to the other? I think that's important to make clear to the people listening today who are concerned about Bill 56, who may have existing agreements with their employers and want to know how they'll be treated under these circumstances.

The sixth area—I'm sure this is a decision that would not be taken lightly by an employer—is that I understand there's a provision in the bill that would be grounds for an application to be refused under certain circumstances. What I'd appreciate some more edification on is how that process will work. I have no doubt that the vast majority of employers are responsible citizens, that they treat their employees well and would not take a decision lightly, but there may be extenuating circumstances where a denial of leave may be considered by an employer.

How does that process take place? What is the involvement of the Ministry of Labour, of the government of Ontario? To whom are the grounds of appeal made? What is the decision-making process from that point? Hopefully, this will be an extremely rare occurrence, but an important one that I think small businesses particularly, that may not have the flexibility to replace a worker with great ease, will be concerned about.

The last one, which some of my colleagues on this side were speaking about and I hope to hear more about in the debate, is what's the trigger to qualify for the benefits of Bill 56? I know it's probably not an across-the-board answer, it may vary in different sectors, but I think the member from Nickel Belt had spoken about this a bit earlier, in terms of the number of hours before you qualify for this legislation and the—

*Interjection.*

**Mr Hudak:** It wasn't Nickel Belt? Trinity-Spadina, my apologies. Under what circumstances do you qualify? How many hours of work, or years? Contract employees: Are they covered? As well, under what circumstances and probationary periods?

I think another important consideration in the context of debating this legislation is, what other methods of support is the government suggesting to help people in these difficult circumstances? For example, in our last budget when we were the government, and as part of our campaign, we had talked about improving the caregiver tax credit and the infirm dependent tax credit for people in some difficult circumstances. Whether it's their spouse or a child, the current level of tax credits, we had determined, was not rich enough, did not convey the proper amount of benefit. So we had campaigned on increasing those benefits, which I believe worked out to about a \$50-million benefit to families in those particular positions.

So I'd be interested in hearing if it's the intent of the new government to carry on with those tax credits.

Maybe that will be part of the budget, or maybe they've already made a commitment in those areas. In terms of addressing the issue as a whole, helping families that are under these difficult circumstances, I think the degree of remedies is an important part of debate.

The last detailed part, I think under subsection (6), I'm not sure which section, when I was skimming through the bill: If two or more employees come from a workplace, I guess, the total amount of leave is up to eight weeks. They wouldn't each get eight weeks. So if it's a husband and wife working at the same company and, say, one of their mothers took ill, as defined by the legislation was seriously ill, they could take only a total of eight weeks, as opposed to what you would expect, 16 weeks.

Maybe that's from discussions with businesses, that they felt that both leaving for eight weeks may have been an unfair burden on businesses, but I think that's an important part to bring forward. It's not common, but it's certainly not rare that a husband and wife or two members of the same family would work for the same company and would both be eligible for benefits under Bill 56.

In my last couple of minutes, I just wanted to get to the big picture issues I mentioned at the beginning of my remarks. First of all, I think everybody recognizes that this is a benefit and therefore a good thing to employees as defined by Bill 56. We can't lose track of the accumulated costs of other goods or benefits that the government wishes to convey to workers in the province of Ontario.

Certainly I heard a growing concern from small businesses in my riding, accentuated when I visited with the tourism operators that hosted a reception yesterday evening. The government has already moved to increase the minimum wage, with the commitment to increase the minimum wage in subsequent years.

The cost of hydro is increasing sharply, and they have talked about in future years making it fully cost-recoverable. So another big impact on small and large businesses in the province of Ontario that they probably had not planned on, because there was a solemn campaign commitment not to change the hydro rates.

The new regulations that have been brought forward as of last week with respect to the workweek and under what circumstances you need a government form to be filed and then sent back is another example of what I would argue is red tape in the circumstance. Certainly the water regulations that seem to be coming forward without any financial assistance to support the changes are a particular burden in rural Ontario and, again, in the tourism sector. What I fear is not only tax cuts that have been forgone in increased taxes—increased business taxes, as well, by removing the cap—but I fear it's going to be in the budget.

So when you accumulate all of those costs, it's a substantial hit on business, particularly small business in the province of Ontario, that does not bode well for future job creation. I think we have to put those things into the balance in terms of how much small business can carry in the costs in the province of Ontario today.

The last was a bit of the Big Brother nature of the government if you look at Bill 27, property rights, the fat tax, the attack on the food courts in the province and the disdain shown for independent schools, but I can get that during my closing remarks.

1700

**The Acting Speaker:** Questions and comments?

**Ms Martel:** I appreciated the concerns that the member for Erie-Lincoln had to raise. I'll tell him right off that the one I disagree with has to do with concerns around small business with respect to this legislation. That's the same argument that we heard when a former Minister of Labour, Chris Stockwell, brought through the protection for parental leave. Part of his delay in bringing that forward, even though the federal government had moved forward and allowed for those provisions, allowed for the pay, essentially—it took some time to convince the Minister of Labour to actually move forward. In fact, I brought my own private member's bill forward, because I didn't think he would, to allow for that job protection. So that's not an argument I buy, because I think in this particular case, specifically, you would have a lot of employers seeing a lot of absenteeism because people are trying to struggle to deal with very sick parents, especially if there's no one else to do that.

I appreciated your other questions and I hope they get raised, but I think the one thing I want to go back to has to do with whether or not people will be able to afford to do this and, frankly, what else could we do; what more could be done?

I made the point earlier and I'll make it again: I see what has happened to many women who can't afford to take maternity and parental leave. They can't because their regular pay is low and they're only getting about two thirds of that pay when they're out on leave. Many want to stay home with their newborn child for the whole year; they can't afford it. I think we're going to see a similar problem with these provisions: that many people will not be able to afford to take the eight weeks' leave.

The question of what could we do: If we really wanted to do something to show our compassion, Ontario could propose a top-up to the federal EI benefit. We know that many trade unions now provide a top-up on parental leave. Ontario could look at a top-up on this benefit and then we could guarantee that people could take compassionate leave.

**Mr Peter Fonseca (Mississauga East):** It's my pleasure to speak today on Bill 56, a bill really that is round a compassionate Ontario, the Ontario that we want, an Ontario with heart.

The member for Erie-Lincoln spent much of his time speaking about business. I understand business and what good business is all about: It's that when people voted for service and voted for a compassionate government, a government with heart, they voted for the Liberal government. The previous government, looking at business—as they managed this province, and managed it very poorly, they left us in a bad business with a \$5.6-billion deficit. I think that government should have focused much

better on business and done a much better job than they did.

I know why I'm here: for our constituents, for 12 million Ontarians who are looking for that heart in government, the heart that was sucked out of this place for eight years, sucked out in the way that they brought in no affordable housing; they never increased the minimum wage; they were not thinking about the people.

Businesses are made up of people. They're made up of people. It's not the bricks and mortar; it's not the building; it's not the machines; it's about the people.

If we look at this bill and how it will affect business, we know that employees who are able to take leave and care for gravely ill family members tend to return to their workplaces less stressed, feeling better about their employer, better about getting back to work and doing the best job that they can to be productive for that business. We know this is the right thing to do—bringing heart back to Ontario.

**Mr Wilkinson:** I want to add, as a person who is a small business owner of more than 20 years, my own perspective on this bill.

I think successful business owners, all business people, know one thing: that they're only as good as their staff. Your greatest resource is your people. You can't legislate compassion. Unfortunately, you can't. The vast majority of employers in this province see their staff as their greatest resource and, of course, when there is someone who is gravely ill in their family, they would cut them some slack, they would allow them to spend time with their family, realizing that's the type of thing that builds the loyalty you need in staff. You don't want to have a high staff turnover. That costs you money. Instead, you want to have people who are committed and loyal to your business. That's why it's so important to do that.

But there are employers—not many, but there are employers who would not be fair to their staff. There are employers out there who would say to someone with a gravely ill family member, "No. You leave this place, you're fired."

We're going to change that. That's why we're having this law. This law is about justice. It's about fairness. The vast majority of employers, and I'd like to consider myself one, would do the right thing, would do the just thing, would do the thing that would build loyalty with their employees. But there are some employers who will not do that. We've had these debates on other issues about employers doing things about women, for example, who leave to have children and how they have to have the right to come back to that job. It's the same thing in this piece of legislation.

We are being compassionate, but I think the most important thing is that we are sending a clear signal to those employers who would have difficulty seeing their staff, their employees, as their most important and valuable resource, that they need to do the just thing in our province of Ontario.

**The Acting Speaker:** Further questions and comments? I'll recognize the member for Erie-Lincoln to reply.

**Mr Hudak:** I appreciate the remarks of my colleagues. The member for Nickel Belt talked about the affordability of leave. That's one thing I didn't mention specifically in my comments, but it's probably obvious to those listening that this is unpaid leave from a workplace. The NDP would propose a new benefit to help top up EI. I talked a bit about the tax credits that we brought forward in the most recent budget for caregivers and for those who have an infirm dependent. As well, our case is always to let people keep more of their own money through tax reduction; stop going after their pocketbooks time and time again on higher fees and higher hydro, as this government is proposing to do.

Mississauga East's comments: I think we have to be careful in assuming that any particular party has a monopoly on compassion. I know. I've been there and I was in the back row when first elected. I know you get full of vim and vinegar and try to see things through a very narrow lens of a bunch of bad guys, and the other ones have a monopoly on compassion and such. But I think we need to be realistic.

In terms of helping business, I don't think anybody could argue with the record of success of the Conservatives: over 1.2 million more jobs; the economic growth rate in the province of Ontario; 600,000 people off the welfare rolls. Their argument in the Legislature is they're trying to restore a balance between business and the public service spin. This notion that we were somehow bad to business is a bit ridiculous and I think beneath the debate in the Legislature.

The other point I made is that while we recognize that all these things are good, there are benefits to employees and to businesses developing a good relationship with the workforce, we can't lose track of the accumulated burden that's being placed on businesses and small businesses in the province, whether it's through minimum wage legislation, hydro rate increases, the new regulations and red tape, higher taxes or water regulations. It does not bode well for prosperity for small business in the province of Ontario.

1710

**The Acting Speaker:** Further debate?

**Mr Khalil Ramal (London-Fanshawe):** I'm honoured again to rise in this House to speak in support of Bill 56. I believe it's a great bill. It is being introduced for the first time in this province to protect workers and to make a balance between workers and employers. Before I start, I'd like to mention that I'm sharing my time with the member for Etobicoke-Lakeshore.

I listened last week with great interest to the Minister of Labour, the member for London West. I was just amazed at his introduction to the bill because he was speaking with passion about important issues concerning all the people of this province. I was fascinated with the statistics. One in every four of us is subject to that matter.

It's very important to be regulated and protected, and to introduce a bill to protect the people in this province.

As the member from Perth-Middlesex mentioned, you can talk about compassion as much as you want, but you cannot regulate it. If you want to regulate it, there's always a way to escape it. People have to deal with it with compassion, honesty and trust.

This issue is very important for employees who have an ill person in their family to look after and protect. I was looking at the statistics mentioned by the Minister of Labour last week that about 40% of the people facing the problem of looking after a gravely ill person were, when placed in that impossible position, faced with the impossible choice of having to quit their jobs. It's a great loss for both sides: employers and employees. Another statistic shows that about 25% of their savings is subject to loss because they have to quit their job and look after their own family member who is ill at home.

Another important thing is the waste of economic growth in the total province of between \$2 billion and \$3 billion a year. Another statistic shows a very important element is to protect the health care institution by introducing and passing this bill, because almost 36% of people in their last days have to go to these institutions if they don't have a person to look after them. All these savings would save the province if we passed this bill.

I was also listening to the member from Scarborough Southwest talking about the compassion of the Dalai Lama, who came to Toronto. I also got the chance to listen to a roundtable in British Columbia over the weekend where he was talking about the compassion, love and caring of our people and our members. He said, "I meditate and pray almost five hours a day, but my prayers and meditation wouldn't change anything if they don't affect you, if they don't move you to do an action." I strongly believe that the Minister of Labour acted and moved by introducing this bill.

I respect the member from Erie-Lincoln's concern about the business community. We have to make a balance between employers and employees. If we want to have a successful business and growth in that business, we also have to look after the health, compassion and feelings of the employees who make our business successful.

I come from a small business community. I've been a business owner almost all my life. I always had about five to six, sometimes 10, employees. I dealt with them with compassion. I treated them as members of the whole company I owned because, in that way, when they feel that they're important, that they're partners, they can produce more and they can give you whatever time you want. They give you whatever effort is needed in order to make your business successful.

I listened with great interest to the member from Trinity-Spadina when he was talking about part-time, and that timing would make a person eligible for employment insurance. I agree with him sometimes on certain issues. I agreed, I was happy and I was impressed when he supported that bill, and also when the member from Erie-

Lincoln supported that bill. It was a great start. It's a rare time when all the members of the House support a bill. That's important to all the people of this province. But I want to tell the member from Trinity-Spadina that we cannot make the cake and eat it all. We have to make a balance. People have to work before they harvest. It's just a part of life. We cannot ignore that. It's part of this equation. You have to put in time in order to produce. If you don't put in time, you're not going to produce. You also have to be fair to the three structural elements of our society: the government, the employers and the workers. By applying a fair equation, I believe we are going to have peace in this element and then great production. Therefore, this bill came in to protect employers and workers in a fashion that everybody can be happy with to a certain degree.

As human beings, we're always looking for more. A government is always looking to make a balance between both sides. As I mentioned, this bill is not just important for our economic growth but also for safety. Can you imagine if a person has to go to work and has a member of his or her family ill at home? They have to worry about it all the time. What would happen if they were dealing with dangerous machines, a saw or whatever, a cutting machine? We'd have a disaster. If you have to drive a truck on the highway, you might smash hundreds of cars or kill someone. If you're doing something like dealing with some kind of technical equipment, what would happen? This bill is important, considering all these details, protecting employers and employees and also creating some kind of safety measure.

For the sake of enhancing our potential, we have to have this bill passed. From what I have gathered from all the speakers in this House this afternoon and this past week, we can have some kind of agreement on it. The member from Trinity-Spadina can bring his concerns to the Minister of Labour. I think he's a great man. He will listen to you and will tackle the issues.

In principle, I believe we're headed in the right direction. It's a real positive change for this province. Mr Bentley, the Minister of Labour, is going in the direction of the government of Dalton McGuinty, to protect people in this province, choosing to take all the measures possible to strengthen our unemployment factors.

He started with increasing the minimum wage. Today we're debating Bill 56. Yesterday we were trying to introduce a bill to roll back the 60-hour workweek, which is also very important for employees and employers. Another thing we're talking about is forcing people to retire at age 65 or giving them a chance to continue, if they wish.

All these measures tell us that this government and the Minister of Labour are going in the right direction and, therefore, they get all my support. I hope all members from both sides of the House will support that bill because it's a great bill.

**Ms Laurel C. Brotin (Etobicoke-Lakeshore):** I'm very pleased to speak today in support of Bill 56, An Act to amend the Employment Standards Act in respect of

family medical leave. This bill, if passed, will amend the Employment Standards Act to provide for up to eight weeks of job-protected unpaid leave off work for those taking care of dying family members.

This bill will protect the jobs of those who want to take time off work and will not ask them to make an impossible choice, a choice none of us would want to make, a choice where we're asked to choose between our career, our employment, our profession, our livelihood and our loved ones.

1720

This legislation will provide time for working people to stop attending work and deal with an issue that is immediate and pressing in their lives and is consuming them at that point in their life: to look after their father, their mother, their daughter, their son or their spouse at a very difficult time in their lives, to ensure that they get the best possible care in their final days and allow them to die with dignity. Choosing between your job and your family: There's really no other difficult choice that you can make. It's a choice we're all asked to make every day, to choose in balancing our lives. Sometimes I think we think about the fact that it is an easy choice to make—and a lot of people do make it—but at this time in life, when you're dealing with someone in your family who is dying, the issues at serious risk are much greater.

I come from a large family. Taking time and making a priority of attending at a difficult time in your family's life, to join together and look after someone who is dying, is a very serious issue for those of us who are having to juggle it. But it is also something that, as a society, we want to be able to offer to citizens to be able to make that choice.

Making a choice between your job or looking after someone in your family: I am not prepared to be part of a society that asks someone to make that choice. And that's why I am so very pleased to be part of a government that is taking a leadership issue on this and helping people to ease the burden when they're being asked to face what are already tremendously difficult circumstances in their personal lives.

The test of our compassion as a society is whether we are able to assist people through these difficult times and whether in difficult times we as a collective and as a society are able to join together and help people, help them with the juggling they are already being asked to do, help them with the balancing and the struggling, and deal collectively, publicly and together, with something that so often families are asked to battle with alone, to juggle alone, without the support of the collective in the province.

A number of years ago, I had an opportunity to speak to a young woman. I was out in a community and I was talking to families. I knocked on a door and got someone who was clearly in a difficult time in her life. She opened up to me, a stranger knocking at her door, simply because she was so alone. She was one of the people we talk about, the generation that's crunched, the caregiver generation, the sandwich generation, juggling her kids,

looking after an elderly father who was dying of cancer. The fact that she felt so alone and felt that no one was acknowledging the issues she was dealing with in her life at that moment, that society wasn't compassionate to the burden she was facing, the fact that she was a single provider for her children and needed to continue to earn income but at the same time was torn, and the fact that she was so torn, was apparent in her face. She opened up to me and talked about these issues. That's something that has stayed with me for a long period of time.

This legislation is what we can do together to indicate that we are supportive of you in those difficult circumstances. We're not going to ask people to make an impossible choice, to choose between their jobs and caring for a loved one. We owe it to Ontarians, all of us collectively, and I think we will have the support in this room to make sure that this legislation does pass to help them in their time of need.

Who will we be helping? We'll be helping the young woman I just talked about, a young woman who was juggling looking after her kids, bringing in income to pay her mortgage and looking after her elderly father at the same time. We've been talking about today, and sometimes we haven't acknowledged, the vast number of people we really will help. Because this is very much a serious issue facing a large number of our constituents. My constituents in Etobicoke-Lakeshore, New Toronto, Mimico, Long Branch, all of the families that are juggling each and every day the very serious issues of trying to live in this modern world—juggle your income, juggle the family and make sure that you're there.

The statistics are really startling. Almost one third of Canadian adults are now responsible for the care of an older relative. We are going to help a lot of families with this legislation.

A recent study of cancer patients indicated that more than 40% of family members of patients surveyed had to quit their jobs to care for them—40% of families. Those families will benefit from this legislation. Other statistics indicate that 80% of Canadians would rather spend their last days at home and not in a hospital or institution, yet only one quarter is actually able to do so. Again, this legislation will assist families who will now be able not to make those difficult decisions. Early estimates by the Department of Human Resources and Skills Development in January 2004 indicated that 270,000 people in Canada are expected to apply for compassionate-care EI benefits. That's a significant number of families across Canada. Clearly, those numbers of who will choose to take advantage of this legislation will also be significant in our province.

The other issue we talked about is the length of the unpaid leave that's available, because again we are balancing, assisting, making sure that employers are able to manage the expectations that we're asking of them. This leave is eligible for eight weeks. Statistics tell us that most Canadians who have taken time off from work to care for or provide assistance to gravely ill family members have done so for six weeks or less. So pro-

viding eight weeks will be sufficient to allow them through that very difficult time.

I also want to talk for a minute about the juggling that families are undergoing. Again, studies will tell us that employees with high caregiver strain are 13 times more likely to miss three or more days of work in a six-month period, and almost twice as likely to miss work because they are emotionally, physically and mentally fatigued.

So these are the types of people. The statistics are significant, and I think it demonstrates this very straightforward and simple piece of legislation is compassionate in its root, which is taking a collective approach to difficult circumstances that families face in our province each and every single day.

I'm sure if all of us had an opportunity to go into our communities this evening and have a chance to perhaps be a fly on the wall in all the families that we collectively represent here at Queen's Park each and every day, we would be startled by the numbers of families who, if asked, "Would you like to take advantage of this legislation?" would be looking for this type of assistance.

This is our way collectively, as a government, to work with employers to ensure that employees, when they return to work, are able to focus on the work that they have, that our employers, who are already caring, compassionate employers, are acknowledged in that we too are providing the leadership and indicating that this is the way our province chooses to operate: good times in life, we deal with collectively; difficult times in life, we also deal with collectively. A society is judged by how we look after those who require the most assistance and who are the most vulnerable. The families of individuals who are juggling this very difficult period of time when someone is gravely ill are very vulnerable. I'm very proud to be part of a government that is moving forward in a collective, responsible way in this manner.

**The Acting Speaker:** Questions and comments?

**Mr Marchese:** I have some comments.

**Mr Ramal:** You?

**Mr Marchese:** Enough for two minutes.

I want to say that the members for Etobicoke-Lakeshore and London-Fanshawe made useful points. The member from Etobicoke-Lakeshore said, "Imagine having to make a choice between working or taking care of a family member who is dying. It isn't a choice that anybody would want to make." How could you disagree with that?

The other question I put to you is, imagine the choice of having to take care of a family member, at the moment limited to the ones defined by this bill, and you are not eligible for unemployment insurance benefits. So you get protection from the law that says, "You can get leave for up to eight weeks, but because you don't have the 600 hours that are required in order to be able to access unemployment insurance benefits, you won't be able to access any benefits. The law will protect you, but you won't have any money."

I accept the difficult question the member from London-Fanshawe poses in terms of imagining the choice

of working or taking care of your family member, but I put the other question: Imagine having to take care of your family member, but you're not eligible for benefits, or you might be eligible for benefits but your income is so low that it's not enough to pay your rent, or to pay your mortgage if you own a home. Imagine those tough questions that people have to face day in and day out. Yes, this bill does a little bit, but imagine the other tough questions that need to be answered.

1730

**Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale):** I stand before the House to join in the debate with my colleagues from London-Fanshawe, Etobicoke-Lakeshore and Trinity-Spadina.

This is a very simple bill. Bill 56 gives the right to get leave of absence for eight weeks when one of the family members is critically sick or is dying. I'm a family doctor. I used to have privileges at William Osler Health Centre, Brampton Memorial Hospital campus, in Brampton. I have seen with my own eyes family members who have to make tough choices when they are faced with stress and anxiety, and that stress and anxiety affecting their health at the time they need their strength and energy to take care of a family member who is dying.

Those stressed-out family members would be able to take time off from their work when they're taking care of a dying family member. This bill will help in that way. Unfortunately, family members sometimes don't have the choice to sit with a family member who is dying. This leave will help them to have that choice, and that's why I'm supporting this bill.

**Mr Hudak:** I'm pleased to add another two minutes to the debate. I believe my colleague from Burlington is the next speaker, and I look forward to his remarks.

I appreciate the member for London-Fanshawe's discussion, particularly about balance. I think I was making a similar point in terms of balancing a benefit conferred on an employee with the ability of business to fund it. I think he makes the right argument in this circumstance. In fact, this is a relatively limited benefit; I think we should be clear about that. It is up to eight weeks of protected, unpaid leave. There's no top-up to benefits, there's no pay that's conveyed; it just protects the job for up to eight weeks of unpaid leave for a certain class of employees in particular circumstances when a death is going to occur within that 26 weeks. So if you're a part-time employee, I think you would not qualify for this. A probationary employee, for example, would not qualify for this benefit.

It's recognized that this will help a group of people for an eight-week leave without pay, but it doesn't do anything for their pocketbook. So before we celebrate the inbounded compassion of the government, I think we should realize what this is constrained to.

That having been said, what I worry about in the balance is the accumulation of policies that have been brought forward by this government, including increases in labour costs; increases in hydro rates to business, which will be a significant increase when all is said and

done; imposition of new water regulations without funding to support small business or charitable groups is another issue; new regulations and red tape with respect to the workweek; and higher taxes and the elimination of the cap on property taxes, as well, for businesses. I think when you weigh all those increased costs into the balance, it's a significant negative impact on small businesses and therefore less job creation in the province.

**Ms Judy Marsales (Hamilton West):** It's an absolute pleasure and honour to speak to this bill, because one of the most difficult choices many of our citizens have to make is the decision between their job and potentially a dying family member.

I'd like to relate a little experience in our own Hamilton West office. On September 11, 2001, when the world was grieving for the twin towers, we were grieving for a colleague who we thought was going to pass away that night and had been given the last rites. Can you imagine if everyone at the bedside were concerned about their job? In this particular instance, the good news is that the wonderful lady survived and is very vibrant and with us today. Also, her husband, who was grieving at her bedside at that point in time, had a very compassionate employer who was willing to allow him to be with her night and day as she went through this very traumatic event in her life.

I think this legislation puts in place the opportunity for other individuals within Ontario to be by the bedside of their loved ones, to be there at this time of need, without feeling that they have to go begging to a potential employer to have this time to spend with their family—such a necessary time, and part of the emotional security that's necessary to deal with a very traumatic event in most people's lives.

In particular, given the statistics today that suggest that cancer is going to be ahead of heart disease in the near and dear future, I think we need to have some legislation in place that allows each and every one of us in Ontario to be with those we love at a time of great need, when they need the support and love of family. So I do support this bill.

**The Acting Speaker:** The member for London-Fanshawe has two minutes to reply.

**Mr Ramal:** I'm honoured and thrilled when I hear all the speakers in this House in agreement with the Minister of Labour and in support of Bill 56.

I just have to speak to a fact stated by the member from Trinity-Spadina. On this side of the House we believe that when the minister becomes a minister, he will be non-partisan and will listen to every member of the House, whether NDP, Conservative or Liberal. That's why I recommend to you to go and talk to the minister. I think he's a great man who will listen to you with an open mind.

I think this bill is going to pass because it gained a lot of support from every member of this House. I would like to congratulate the Minister of Labour for his effort in putting all the pieces together and introducing to Ontario a great bill that will protect employees and

employers and will also protect business, whether small or large, in order to continue the growth of this province.

I remember the member from Erie-Lincoln was talking about losing the continuity or losing some kind of track in terms of a business or neglect of a business. As I said, regardless of whether you are a small or large business owner, if you are able to maintain a good relationship with employees, and especially with this bill which will protect them and give them some relaxation and comfort, I think the growth and maintaining of business will continue and, as a matter of fact, make it stronger.

Again, I congratulate the Minister of Labour for the bill and hope, when the time comes to vote on that bill, every member in this House will vote in support, because this is a great bill. It will protect the people in this province.

1740

**The Acting Speaker:** Further debate?

**Mr Jackson:** I'm very pleased to rise in the House and speak on this issue this afternoon, and I want to commend the minister for bringing forward the legislation. I did want to say, as someone who has spent the last 30 years of his life involved in social policy, that I get the distinct difference between social policy and employment policy or empirical income policy.

If this was really about compassionate leave and palliative care, it would be the Minister of Health and his bill that I'd be addressing this afternoon. I'm not. I'm responding to the Minister of Labour. Clearly this bill—even the description in the bill references that this is about protecting workers. This is not about a compassionate leave program. If it was, I believe each and every member of this House would have agreed not only on the basic package of promises you made as Liberals in the last election, but as citizens we would have come together and agreed on refining the legislation and taking it a little further in terms of defining it as a program designed for end-of-life decisions and how we address the medical model we have in our province.

Although I'm sure all of us will be supporting this bill, the first concern I want to put on the floor is that this bill was an opportunity. It opened the opportunity for us to vote on this. We are narrowly limited to labour law and not able to deal with the larger, more subjective, more flexible field of social policy dealing with health care, social services and palliative care.

I think we should pause and reflect with regret that this is an opportunity lost. Clearly, if the government was committed in this area, it would have made a better attempt at trying to address some of the issues it promised to people in the last election and the message that the community at large, who presented their case to all three political parties, was trying to convey.

At the beginning, I want to say that this bill will protect workers from any dismissal as a result of their decision to care for a loved one who is dying. This does not protect workers who make decisions to put their income, their job or their benefits at risk because the

circumstances in their family are such that they are required to sustain the life of an individual in their care. Perhaps it's because I've served the public for over 30 years in this province that I have seen so many cases that are not the typical, "Your mother has exactly 10 days to live; how soon can you be here?"

I know the minister understands this concept, and I know the minister realizes there is a whole host of Ontarians who lobbied all three political parties in the hope that we understood the atypical case facing struggling Ontario families trying to cope—either single-paycheque families or even two-paycheque families in low-income brackets—when they're struggling to care for a person, not just at end of life. A significantly disproportionate larger group of Ontarians have the daily struggle of having to cope with the care, feeding, voiding and all the maintenance required in obtaining a certain quality of life.

This has caused social policy in this province to evolve so that we have better access to home care. We've expanded the amount of services that are available. We've expanded respite—significantly, I might add. I can remember arguing with the then minister of long-term care, Ron Van Horne, to start home care programs in our province—the Liberals were spending about \$350 million. When we departed last October, we were spending \$1.4 billion on home care.

Again, this is outside the Canada Health Act, which is another issue I want to raise for the minister. I believe there is a role for him and the Minister of Finance to be arguing at the federal round table about Ontario getting its fair share.

My colleague from the NDP has already referenced the issue that this legislation only selectively covers certain individuals who are eligible for UI, in terms of having access to that if they've put in the prescribed 600 hours. This creates two classes of Ontario workers whose parents or children or loved ones are dying. I think that's bad public policy, and the government should be looking at ways in which to correct that. One of the ways to correct that is to either provide the funding for those ineligible for UI or to argue vigorously at the federal forum to determine that the national UI program should be amended in order to cover this. I've had many cases of people who've actually had to leave a good-paying job that was convenient to them in order to seek alternate kinds of employment so they could free up more time to be with a family member or loved one or to provide care.

We have the whole range of the abandoned single parent. Again, I could give you case after case. The first time the mother is diagnosed with MS, the husband takes off, and that's the end. Now she's the sole-support parent who's been abandoned. What services are we providing in this scenario when they have limited days of employment left, let alone the prognosis that within three to five years they'll probably be dying?

The first concern I want to put on the record is that although I understand that what we're achieving here is a labour bill to protect those workers who may be at risk, it

doesn't protect those workers who would be without funds whatsoever. If you're a teacher and have your seniority, you're going to be covered. There are all sorts of employment situations where we know they will be covered. Unfortunately, the disproportionate number of people who are ineligible are the very people who need it the most: people with low incomes or people who are in what we sometimes refer to as dead-end jobs that are leading nowhere in advancement and opportunity, but they're required to stay in those jobs in order to pay for their rent, heat, hydro and so on.

Earlier in the House I raised concerns about whether the regulatory framework of a labour bill could deal with issues of eligibility in a regulation dealing with a family that is currently under palliative care in a hospice. Will that family be eligible when they're getting 24-hour care in that setting? Perhaps the minister can help clarify that at some point. That leaves too much of an issue unresolved. Does that include care for a person in a hospital setting, for that matter? Will they, therefore, be eligible? Will there be appeals to the Minister of Labour, to the labour board, saying, "Why should I be without my employee for eight weeks, an employee who is collecting UI while their mother is being cared for on the other side of Ontario in a hospice or hospital?" Those are issues that need to be resolved now, before they become buried in the bureaucracy and we don't have the light of day to deal with them.

I'm concerned about two or more employees who would care for a dying loved one. Clearly, the legislation, as I read it, is written from the labour income support being compatible with the federal government rules. I think it's unfair in the extreme. We don't deal with pregnancy matters in UI in this fashion; I don't know why we're going to deal with compassionate leave in this fashion. Clearly, it all comes down to the fact that the most a family can draw from UI is a total of eight weeks. Somehow we've got to look at that issue.

Earlier I raised the issue of the definition of family members. I know of families where a brother or sister was killed years ago and the family is actually being taken care of by an aunt or uncle. Even when you read obituaries, you see people saying, "Although she was my Aunt Ellie, she raised me as her child," and so forth. somehow there's got to be flexibility in this. Again, these are the Catch-22 federal rules that you are following and bringing into your legislation. I think, as a new minister, you might want to risk raising some questions in Ottawa about making those changes and allowing Ontario to push this envelope a little further.

750

Obtaining medical certificates outside of province: Again, the test for the minister should be one in which compassion rules, as opposed to some bureaucrat in Ottawa arguing about UI eligibility while we're waiting for some kind of certificate. Clearly, this is a challenge, and certainly I would hope that the minister is seeking advice as to how to get that piece of the legislation far clearer and far more reliable.

I'd also like to know, Minister, if you could check on those other entitlement leave programs sponsored by the federal government and whether or not they're going to treat them as if they cannot run coterminously or can be interrupted. The case of a woman who has brought her child into the world and now her mother is dying: Will she have to suspend her benefits on her maternity leave, in deference to her leave requirements, to be with her ailing mother somewhere outside of the province, or within the province for that matter? I'd like to make sure that people aren't put in an awkward position of non-entitlement. Again, you're wise to get this matter resolved so you're not flooded with 10 or 12 appeals to the Ministry of Labour for arbitrating on some of these decisions.

I just want to indicate that, although we as a caucus support the notion that workers will get this protection, we in our caucus had promoted and committed, in our last budget, to an approach which we felt would be more accessible to more individuals, not only because it wasn't limited to persons who were dying and in need of palliative care, but also because it was expanded to persons with serious illnesses, chronic ailments and disabilities. We feel that the issues around disability are worthy of inclusion. We've argued that.

We indicated that we as a caucus understand the increased costs associated with this kind of care, and the fact that our bill would have provided improved tax support for persons in this situation. In fact, we proposed to increase to over \$6,600 the underlying amounts for the disability credit, the caregiver credit, the infirm dependant credit and the disability credit supplement for children with severe disabilities. Our budget proposed to expand the caregiver credit and infirm dependant credit to include spouses or common-law partners who are dependent by reasons of a mental or physical infirmity, and to provide support to more caregivers living apart from dependent relatives.

Thirdly, our budget proposed that both the caregiver credit and the infirm dependant credit be reduced when the dependant's net income reaches \$13,050 and eliminated on income levels of \$19,000. This of course would have moved these thresholds to the benefit of caregivers and allowed for incomes of almost \$9,000 more for eligibility for this program. Again, that's the kind of bill that either the Treasurer or the Minister of Health would have brought forward. I understand we're dealing with a labour bill only here but, in all fairness, this would have been an opportunity for your cabinet to have made some of these positive changes.

The commitment we made in the last election came with a price tag of \$50 million. It's interesting that when you priced out your promise to the public during the election, it had a small price tag—not as much as the \$50 million—but now that you've brought in this legislation, there's no price tag attached to it, proof again that your legislation fell short of your promise. It does not include young people, the disabled, children and issues of infirmity that we felt should have been covered.

In fact, the government has chosen not to step up to the plate and put its money where its mouth has been so often at election time. It's important that they understand that compassionate leave isn't just about protecting workers. It's also, and perhaps more importantly, about the individual who is dying, the person who is infirm, the person who needs support where the current programs, to date, are not covering it.

I realize many of the individuals who require these supports receive provincial funding that is outside of the Canada Health Act. Therefore, this becomes another issue for the Ontario government to raise with the federal government. As I've said in this House on many occasions, whether it is home care, nursing homes or the Ontario drug benefit plan, Paul Martin Sr refused to acknowledge these in the 1960s when he was designing the Canada Health Act. It would appear by all comments in the media that his son, who is now Prime Minister of Canada, has himself failed to recognize that, as our population ages, they need assurances and guarantees under the Canada Health Act that their health care services will be covered. Not only are we seeing issues around income-testing for seniors and increasing user fees for seniors because of their need for drug medication, but we feel we should be coming together in this House to go to Ottawa to get our fair share.

The federal government helped balance its first two budgets purely on the backs of Ontario workers who gave more money under the unemployment insurance fund, one of the fattest insurance funds ever on the continent. It is so flush with money that the government has had the ability to not make its coterminous payments, partially because Ontario was providing a disproportionate amount of funds for UI.

Here we have a program that the federal government is saying all provinces should buy into, but, "You buy into it on our rules based on employment insurance." It's our fund. It belongs to our workers and they deserve to have full access.

I want to ask the minister opposite and the government to lobby hard with the federal government to look for changes in UI eligibility rules so that on compassionate leave all workers are eligible for the modest amount of income that's provided under UI. You protect that worker, but as the member from Sudbury has indicated, so many people are ineligible for this because they cannot afford to be without the ability to pay their rent or put food on their table to go take care of a dying loved one.

I ask the government to put on the table some of these issues about additional supports for our home care and our hospices, which are not directly funded at all by any federal money. The province puts funding in. As our population ages, we are going to need to push the federal government to make sure the federal Liberals understand that Canadians in every province require support under the Canada Health Act. Ontario should continue to be a leader in seeking out those funds and promoting and advocating its commitment to provide quality services.

We have been recognized internationally for the work Ontario has done in terms of our drug program, our home care program and our nursing homes. These we can build on and make better. But for the future, negotiating with the Paul Martin federal Liberal government does not look as bright for Canadians if health care is not put back on the front burner.

I know the minister will take these concerns to cabinet to support the Minister of Health as we seek these additional funds. Although this is a good piece of labour legislation, I regret that we, as legislators, have missed a great opportunity to bring in some outstanding social policy for all three political parties that would help to truly define Ontario as the most compassionate place anywhere in North America or the world.

**The Acting Speaker:** I've noticed it's 6 o'clock and, as such, this House stands adjourned until tomorrow at 1:30 pm.

*The House adjourned at 1800.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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 Speaker / Président: Hon / L'hon Alvin Curling  
 Clerk / Greffier: Claude L. DesRosiers  
 Deputy Clerk / Sous-greffière: Deborah Deller  
 Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman  
 Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Halton	Chudleigh, Ted (PC)
Ancaster-Dundas-Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton East / -Est	Vacant
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Bramalea-Gore-Malton-Springdale	Kular, Kuldip (L)	Hastings-Frontenac-Lennox and Addington	<b>Dombrowsky, Hon / L'hon Leona</b> (L) Minister of the Environment / ministre de l'Environnement
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Brampton West-Mississauga /	Dhillon, Vic (L)	Kenora-Rainy River	Hampton, Howard (ND)
Brampton-Ouest-Mississauga		Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon / L'hon John</b> (L) Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Brant	Levac, Dave (L)	Kitchener Centre / -Centre	Milloy, John (L)
Bruce-Grey-Owen Sound	Murdoch, Bill (PC)	Kitchener-Waterloo	Witmer, Elizabeth (PC)
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Davenport	Ruprecht, Tony (L)	London North Centre / London Centre-Nord	Matthews, Deborah (L)
Don Valley East / -Est	<b>Caplan, Hon / L'hon David</b> (L) Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	London West / -Ouest	<b>Bentley, Hon / L'hon Christopher</b> (L) Minister of Labour / ministre du Travail
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Glinton-Lawrence	Colle, Mike (L)	Mississauga East / -Est	Fonseca, Peter (L)
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Huron-Brock	<b>Crozier, Bruce</b> (L) Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président. Président du Comité plénier de l'Assemblée législative	Nepean-Carleton	Baird, John R. (PC)
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Kitchener-Lakeshore	Lalonde, Jean-Marc (L)	Nipissing	Smith, Monique M. (L)
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Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Ottawa-Vanier	<b>Meilleur, Hon / L'hon Madeleine (L)</b> Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones	Thunder Bay-Superior North / -Nord	Mauro, Bill (L)
Oxford	Hardeman, Ernie (PC)	Timiskaming-Cochrane	Gravelle, Michael (L)
Parkdale-High Park	<b>Kennedy, Hon / L'hon Gerard (L)</b> Minister of Education / ministre de l'Éducation	Timmins-James Bay / Timmins-Baie James	<b>Ramsay, Hon / L'hon David (L)</b> Minister of Natural Resources / ministre des Richesses naturelles
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A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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D23

No. 39



Nº 39

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

## Official Report of Debates (Hansard)

## Journal des débats (Hansard)

Wednesday 28 April 2004

Mercredi 28 avril 2004



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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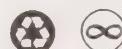
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 28 April 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 28 avril 2004

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### SCHOOL TRANSPORTATION FUNDING

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** I rise today to draw to the attention of the Minister of Education the issue of school transportation funding; more specifically, rural school transportation funding. School boards in Renfrew county face a transportation deficit well in excess of \$1 million, despite having one of the highest rates of shared services in the province. Enrolment may decline, but roads don't get any shorter.

While the Liberal government sets in motion its ill-conceived \$1.4-billion plan to cap class sizes, we have to wonder if they plan to achieve this by simply seeing that our children don't have a ride to school. The Rozanski report calls for changes to school transportation funding. The government must put a new funding formula in place now in the upcoming budget. Without it, boards will be faced with further cuts to educational programs within the schools.

As Renfrew County District School Board chair Roy Reiche stated in a recent letter to the Premier, copied to the minister, "The Renfrew County District School Board has demonstrated its commitment to students in the tough choices it has made in the past. However, it is becoming increasingly difficult to meet the standards of program delivery within the current financial pressures."

This government has thus far demonstrated a total lack of interest toward rural Ontarians and the issues facing them. I challenge it to do better. It can start right now.

#### TOURISM IN CHATHAM-KENT-ESSEX

**Mr Pat Hoy (Chatham-Kent Essex):** I'm pleased that our government announced \$30 million in new funding to market the province and revitalize the tourism industry in Ontario. With the tourism season underway, I invite everyone to Chatham-Kent-Essex this summer. Chatham-Kent's many beaches, campgrounds, golf courses and historical sites beckon tourists to our natural beauty and friendly atmosphere.

The RM Classic Car Exhibit showcases classic automobiles and fine sports cars. You can also watch master

craftspeople work on award-winning restorations. Boating, camping, birdwatching and fishing lure vacationers to enjoy the unspoiled natural beauty of Rondeau and Wheatley provincial parks. You can also follow the path of the Underground Railroad, which brought settlers out of slavery in the United States to new freedom here in Canada.

In Essex, Leamington is known as Ontario's southernmost recreational playground, and it is North America's newest scuba diving centre. A shipwreck diving area offers fascinating insights to the rich nautical history of our area. Each summer, Leamington's municipal marina draws thousands of boaters and tourists. Naturalists from around the world come to witness the spectacular migration of birds and butterflies. Local winery and greenhouse tours are also available. Leamington is Canada's tomato capital. The world-famous tomato stomp contest is a must-see for everyone on August 20 and 22.

Whether you enjoy history, shopping, swimming, scuba diving, windsurfing, boating or just a day at the beach, Chatham-Kent Essex is the place to be this summer.

#### DENISE HOUSE

**Mr Jerry J. Ouellette (Oshawa):** It's with great pride that I rise today to congratulate Denise House on 20 years of success. The Denise House women's shelter and support services in my riding of Oshawa provide a safe and protected environment for women and children in abusive relationships.

The shelter was named to establish a permanent memorial to ex-president Denise Penny, who was a murder victim at the hands of her abusive husband.

The shelter has many skilled and dedicated volunteers and staff who provide counselling and support to the women and their children while they reside at the shelter, as well as continued assistance for ex-residents.

Denise House originally opened in 1984 with 10 beds and can now accommodate 27 women and children. The shelter has gained recognition as a valued service and support network for women seeking safe accommodations.

The numerous invitations for speaking engagements and information sessions from Denise House suggest that community members recognize the need to commit themselves to living lives that no longer tolerate violence. Through this service for the past 20 years, Denise House

has maintained its original vision of enabling women to create and nurture their lives free from violence. I ask all members to join me in congratulating Denise House on 20 years of service.

### MISSION BAPTIST CHURCH

**Ms Judy Marsales (Hamilton West):** I'm pleased to stand in the House today to congratulate Mission Baptist Church in west Hamilton on its 50th anniversary. Week-long celebrations began on April 22 and continued through to April 25, and included several interesting events to celebrate the heritage of the church. Their anniversary theme, "One Year of Jubilee—Celebrating the Past—Anticipating the Future," is a great symbol of hope.

Mission Baptist Church was founded on March 19, 1954, with only 18 charter members. The congregation at that time was predominantly German. They have been in the same location at 100 North Oval in west Hamilton since the very day this same group of people purchased a small chapel that was built on the property in 1927 on that site. That same chapel has been enlarged three times since that time to its present capacity of 450. The current congregation numbers 200. Since the church's inception, seven senior ministers have served the congregation.

I was invited to attend the 50th anniversary celebration last Sunday, April 25, and was immediately made to feel comfortable and welcome. The choir was absolutely wonderful, and the congregational singing was nothing short of amazing. Reverend Reda is very proud of his parishioners and the tremendous sense of unity that they bring to their members both past and present.

I'm pleased to have had the opportunity to celebrate this joyous event and to share more of the fine history of Hamilton and this congregation with this assembly.

### ONTARIO SINGS

**Ms Marilyn Churley (Toronto-Danforth):** It is my pleasure today to announce that on Saturday, May 1, at 7:30 pm, 10 choirs located throughout the province will come together and unite their voices for a landmark simultaneous concert as part of the first-ever Ontario Sings event.

The 10 communities that will be participating in Ontario Sings are Barrie, Belleville, Guelph, Durham region, Hamilton, Ottawa, Kincardine, Sault Ste Marie, Thunder Bay and Toronto. They would like to encourage citizens all across the province to come out and support the participating choirs at their concerts. This is the first-ever here, but it's going to become an annual celebration—Ontario Sings. It has a mission to enhance the cultural and economic well-being of communities in Ontario through the magic of youth choral singing.

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Mr Speaker, you can join me at noon today, along with others—including MPP Wayne Arthurs, because his choir was here as well—to hear some songs: a little

sample from the Young Singers of Durham region, and Toronto's own from my riding of Toronto-Danforth, the Riverdale Youth Singers. They are with us in the gallery today. I have to tell you that the Riverdale Youth Singers sang beautifully, as did the other group. The Riverdale Youth Singers will be singing in St Patrick's Presbyterian, I believe, on Saturday night. I will be there and I encourage everybody to come out and hear these great singers all across the province on Saturday.

### MISSION PÉROU

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Il me fait grandement plaisir de partager avec mes collègues de l'Assemblée législative le projet Mission Pérou. Ce projet était conçu en 1993 en partenariat avec le village d'Indiana au Pérou, au cœur de la jungle amazonienne. Cette année je suis fier que ce projet était repris par un groupe de 14 personnes de la communauté de Clarence-Rockland dans ma circonscription.

Les participants vivront trois semaines, au mois d'août prochain, dans des familles d'accueil. Même si le but premier de leur séjour est d'agrandir un système d'aqueduc, ce projet permettra aux jeunes d'acquérir des valeurs humaines, telles que la sensibilisation à la pauvreté et l'ouverture d'esprit.

Le groupe a tout un défi à relever. Le groupe Mission Pérou tiendra un berceton cette fin de semaine à l'aréna Jean-Marc Lalonde à Rockland. Ceci étant dit, je me joindrai aux personnalités de la région qui tenteront de se bercer pendant 30 heures consécutives cette fin de semaine.

Finalement, permettez-moi de partager avec mes collègues de l'Assemblée législative les noms des participants de Mission Pérou : Denis Lalonde, organisateur en chef; de l'Université d'Ottawa, Joëlle Séguin et Monique Lefebvre; et de l'école secondaire l'Escale de Rockland, Marie-Pier Lalonde, Marie-Claude Bellemare, Yanick Bernard, Mélanie Boyle, Mélanie Brunet, Gabriel Huppé, Dominik Legault, Catherine Séguin, Emmanuelle Séguin, Julie Séguin et Mariève Vaillancourt.

J'aimerais féliciter le groupe Mission Pérou. Bonne chance, bon voyage, et bon retour, chers amis de chez nous.

### WATER EXTRACTION

**Mr Norm Miller (Parry Sound-Muskoka):** I stand today to raise the concerns of the bottled water industry of Ontario. I recently received a letter from the Muskoka Springs Natural Spring Water company, a business located in the town of Gravenhurst in my beautiful riding of Perry Sound-Muskoka. It employs 20 people and meets and exceeds all government regulations governing product quality, labelling and manufacturing practices. Yet they, like water bottling companies all over this province, are being singled out to pay a water-taking fee to cover source protection costs.

Now let me be clear: The Canadian Bottled Water Association believes in the importance of water source protection. In fact, they support it very strongly. Their concern stems from the fact that they are being expected to cover this cost unequally. The CBWA believes that the MOE must consider its water protection policies on the basis of scientific data, while bearing in mind the economic impact.

Bottled water is a very high-value-added industry and is one of, if not the most efficient and clean users of water in Ontario. Over 97% of the water taken is used for human consumption. It is an industry where profit margins are measured in fractions of a cent. Bottled water counts for less than 0.2% of the water taken in Ontario each year.

Given this incredibly small portion of water taken in Ontario, it seems unfair to be singling them out to foot the bill. A water-taking fee like that proposed by the government could have devastating effects on businesses all over the province. I ask that the government listen to the concerns raised by the Canadian Bottled Water Association.

#### CHRONIC OBSTRUCTIVE PULMONARY DISEASE

**Mr Shafiq Qaadri (Etobicoke North):** I rise as a member of this Legislature, as well as a physician, to speak about chronic obstructive pulmonary disease, known as COPD, specifically the conditions emphysema and chronic bronchitis.

There are many reasons to be concerned. COPD is one of the few leading causes of death on the rise, soon to be the third leading cause of death by the year 2020. Many of us know people with COPD. People with this disease, for example, have difficulty with simple tasks like walking upstairs, throwing a ball to a grandchild or even talking, because they struggle for every breath. Having COPD is like breathing through a straw.

There are 270,000 COPD patients in Ontario alone, and an equal number remain undiagnosed. Every day, 115 people with COPD are admitted to Ontario hospitals. It is the fifth-ranking major cause of hospitalization. There is no cure for COPD, but it can be managed. Disease education, pulmonary rehabilitation, home oxygen and inhaled medications can improve the quality of life for our patients, keeping them out of emergency departments.

I invite all members of the House to attend an Ontario Lung Association COPD event, many members of which are represented today in the visitors' gallery. This will be taking place in committee room 228 from 5 pm to 7 pm.

#### PREMIER'S RECORD

**Mr Garfield Dunlop (Simcoe North):** I rise in the House today to congratulate our Premier, Dalton McGuinty. This morning, the Premier was named "tool

of the day" by John Derringer at Toronto's famous radio station Q107. What makes this award so remarkable is that it's not the first time Dalton has won this prestigious award. This time Q107's John Derringer recognized the Premier for his ability to create tax increases that manage to affect every Ontarian in some way or another. I can't help but remember the commercial that aired during the election. It's the one where Dalton McGuinty promised millions of people over and over again, "I will not raise your taxes." But now, McGuinty is making a total mockery out of the democratic process by pretending that the election never happened. Ontarians are on to this guy. Ontarians are asking, why is the Premier breaking so many promises?

We all know that the Liberals won a comfortable majority on October 2, yet, in spite of their victory, the McGuinty Liberals hired a consulting firm to conduct focus groups in six locations across the province. In total, only about 250 people were asked to react to the list provided by the McGuinty government. Over the last couple of days, it has become increasingly apparent that the pre-programmed opinions of these 250 people have more value than the results of the free vote which represented 12 million people in the province. I say to the Premier, if the election was meaningless, then maybe that's why you are treating the promises you made during the election as meaningless.

Congratulations to Q107 and their ability to choose recipients of their prestigious award.

**Ms Marilyn Churley (Toronto-Danforth):** On a point of order, Mr Speaker: I want to take this opportunity to correct the record and tell you that the Riverdale Youth choir is singing at St Johns Presbyterian Church at 415 Danforth on Saturday night at 7.

**The Speaker (Hon Alvin Curling):** That point of order was good information.

#### VISITORS

**The Speaker (Hon Alvin Curling):** In the east gallery is Gurbans S. Sodhi, adviser to the Consulate General of Canada in India, and Damanbir Singh Jaspal, principal secretary to the government of Punjab. We all welcome you.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon Alvin Curling):** I beg to inform the House that today the Clerk received the report on intended appointments dated April 28, 2004, of the standing committee on government agencies. Pursuant to standing order 106(e)9, the report is deemed to be adopted by the House.

## INTRODUCTION OF BILLS

EDIBLE OIL PRODUCTS REPEAL DATE  
AMENDMENT ACT, 2004LOI DE 2004  
MODIFIANT LA DATE D'ABROGATION  
DE LA LOI SUR LES PRODUITS  
OLÉAGINEUX COMESTIBLES

Mr Peters moved first reading of the following bill:

Bill 68, An Act to amend the repeal date of the Edible Oil Products Act / Projet de loi 68, Loi modifiant la date d'abrogation de la Loi sur les produits oléagineux comestibles.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Hon Steve Peters (Minister of Agriculture and Food):** I will defer my comments to ministerial statements.

1350

ANTI-SPAM ACT, 2004  
LOI ANTI-POURRIEL DE 2004

Ms Marsales moved first reading of the following bill:

Bill 69, An Act to prevent unsolicited messages on the Internet / Projet de loi 69, Loi visant à empêcher la diffusion sur Internet de messages non sollicités.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Ms Judy Marsales (Hamilton West):** The bill provides for initiatives to control spam on the Internet. Sections 2 and 3 require the Minister of Consumer and Business Services to initiate consultations with other governments and with the Canadian Association of Internet Providers relating to the control of spam.

Section 4 of the bill provides that any person may give notice to the minister or the body to which the minister delegates responsibility that they wish to be on a no-spam list, and persons sending spam must first check to see if the address is on the no-spam list. The list will not be a public document, and the minister will provide only negative information from it; for example, that an address is not on the list.

Section 9 of the bill provides that wherever a message is initiated, if it is received by a person in Ontario, it is deemed to have been sent to that person, and the act of sending it is deemed to have been carried out in Ontario.

The bill provides for offences and punishments that are more severe in respect of messages that involve pornography, explicit sexual activity or attempted fraud, or that target children as its receivers. It also provides a cause for civil action in nuisance for sending excessive spam and deems damage to have been caused if the volume is sufficient to cause inconvenience.

STATEMENTS BY THE MINISTRY  
AND RESPONSES

## EDIBLE OIL PRODUCTS

**Hon Steve Peters (Minister of Agriculture and Food):** Today I am introducing a bill that will support this government as it continues to deliver real, positive change to make Ontario strong, healthy and prosperous. In December 2002, as a member of the opposition, I expressed a great deal of concern regarding a clause of the Food Safety and Quality Act, 2001, that allowed for the repeal of the Edible Oil Products Act on June 1, 2003.

We were concerned after lengthy discussions with dairy stakeholders, who were troubled because existing federal regulations were not adequate to protect consumers from fraud and mislabelling of non-dairy products that might resemble dairy products. Because of these valid concerns, a bill was passed in December 2002 that delayed the repeal date of the Edible Oils Product Act to 2004.

The future repeal of the EOPA will allow for the manufacture and sale of a wide range of new foods in Ontario that are already available elsewhere in Canada. We do look forward to that. But first we must be confident that our consumers will be protected from fraud and mislabelling of products.

In my current role as Minister of Agriculture and Food, I know my ministry is working with the federal government and industry stakeholders to ensure that federal regulations will protect consumers. It has, however, become clear that more work needs to be done. For this reason, I'm introducing a bill that, if passed, would amend the Food Safety and Quality Act, 2001, to allow for a further delay in the repeal of the Edible Oil Products Act.

OMAF's priority is to ensure that consumers are protected against fraud and are well informed about the products they buy and consume. We believe that a strong federal regulatory framework that focuses on fraud prevention and ensures that consumers have the product information they need to make informed choices is the best approach. In our view, the regulatory framework should apply equally to all foods. By moving the repeal deadline to January 2005, all industry stakeholders will have the necessary time to ensure that regulations are in place to adequately protect both consumers and the dairy and edible oil industries.

Notwithstanding the extension of the repeal of the Edible Oil Products Act, Ontario remains committed to the principle of consumer choice in the marketplace and to breaking down interprovincial trade barriers with respect to edible oils and other products. For this reason, we are also proposing regulatory changes over the next few weeks under the Edible Oil Products Act. The proposed changes would allow some edible-oil-based products on the market prior to the repeal of the act; for example, soy- and canola-oil-based alternatives to cheese made with a limited amount of milk protein. In addition,

the Ontario Farm Products Marketing Commission will be considering regulatory changes to the Milk Act to allow for a limited number of specific products under the Milk Act, such as milk beverages with added omega-3 fatty acids.

The Ministry of Agriculture and Food will coordinate the enforcement of new products with the Canadian Food Inspection Agency to ensure adequate labelling and advertising, and the ministry will be actively enforcing the placement and labelling requirements of the Edible Oil Products Act for as long as this legislation remains in place.

A delay in the repeal date of the Edible Oil Products Act will allow for the phasing in of edible oil products to the market and will set the stage for orderly and efficient deregulation of these products.

**The Speaker (Hon Alvin Curling): Responses?**

**Mr Ernie Hardeman (Oxford):** I rise today to speak to the introduction of the bill dealing with the edible oil act. I want to commend the minister for bringing this legislation forward. In fairness, a similar piece of legislation was brought forward a year ago, with the support of the present minister when he was in opposition, because of the need to do exactly what he put forward in his statement: to protect our dairy industry and to protect our consumers from fraud on the store shelves. This bill is an extension of the extension that was put in a year ago.

The reason I bring that up is that I think it's so important to recognize that a lot of work needs to be done to protect the products on store shelves, to make sure that when someone goes into a store to buy a container that has "milk" on it, regardless of whether it has another descriptive term, it does not describe something else that in fact is not milk, such as putting something on the store shelf saying "soy milk." I think we need some regulatory regime in place to make sure that when people are buying dairy products, that's in fact what they're buying. Again, I want to commend the minister for introducing it and for supporting the same type of bill a year ago.

I do have some concerns with the bill, and they have to do with the timelines. We went through this a year ago, and one of the conditions was that both the grain and oilseed industry and the dairy industry would work together with the federal and provincial governments to put the framework in place for a national code for the labelling of these products. Obviously, a year later, that has not yet happened and, as the minister mentioned, much more work needs to be done. I'm not sure that six months is sufficient time in which to do that, but again it's six months more than presently exists, so I commend the minister for bringing that forward.

**1400**

As I said, it's important to recognize that we need to protect consumers for the products they are buying, making sure the label says what it is they're getting. At the same time, we also need to make sure that these products are available to all consumers and that you don't have to buy dairy products; you can buy a mixture of products or other products as you deem appropriate.

There are people in our society who cannot consume dairy products, but they want the other products on store shelves.

In the minister's statement he speaks to making regulatory changes. I guess it's still left open as to what those regulatory changes will be, that they are not to such an extent that they negate the edible oils act altogether. We'll be looking forward to making sure that, as those regulations are coming forward, they just do what the minister suggested they are going to do and not go well beyond that to negate the edible oils act.

One other concern I have in the minister's statement was that he was going to enforce the edible oils act during the period we're putting this in place, the phasing in. The concern is, if it's only enforcing those products that are going to be allowed through regulation which are presently not allowed, that's one thing, but if we're going to enforce the edible oils act in its entirety, there are many places and many stores that have these products on their shelves today. I'm not sure the minister has pointed out where he's going to get the enforcement capabilities in order to make sure none of that is happening in the next six months, nor am I sure the minister intends or would want to do that.

Having said that, I just want to very quickly go back to the start of the statement, that these are positive changes for a strong, healthy and positive Ontario. I'm pleased to hear that, but there were many things the minister has done in the past that were not doing that, such as turning a public inquiry into a public review on meat inspection, turning meat inspection over so that in fact we could have no meat inspection if there was a work stoppage in our society through contract negotiations, and turning nutrient management over to the Ministry of the Environment so it will not have any agriculture control over it or responsibility for it.

These were not positive changes for my farm community. I just want to point out that, though we totally agree with this being brought forward today, there are some other things where he has some work to do yet in order to give farmers what they had before this minister became Minister of Agriculture.

**Mr Peter Kormos (Niagara Centre):** I want to thank the ministry staff for the briefing they gave me on behalf of the New Democrats here at Queen's Park at noontime, and I want to thank the minister for giving me a copy of the bill prior to introducing it today for first reading.

The bill, as the minister indicates, is a very simple one. It effectively is one sentence, amending the Food Safety and Quality Act of 2001 to extend the date for the repeal of the Edible Oil Products Act from June 1, 2004, to January 1, 2005.

Having received a copy of the bill and having had a chance to examine it and determine that it does what we support it doing, and having talked to advocates for Ontario's dairy farmers, I can tell you that members of the New Democratic Party will be agreeable to speedy passage of this bill; in fact, we will ensure that that happens today.

The fear, of course, is that the June 1 date occurs before the bill is passed and then an even greater mess than was originally anticipated when the Tories mishandled this matter is repeated by this government.

I was drawn into the debate by happenstance. I was subbing for our leader, Howard Hampton, who was on the committee, doing the work and very dedicated to this issue, and found myself intrigued by the revelations being made by Ontario dairy farmers.

Look, down where I come from is like in northern Ontario: Dairy farmers are small, mom-and-pop operations still. By and large, it's people who work very hard, very committed, in many instances multi-generational, great stewards of their land and working some years for negative incomes. The life of a farmer is not a happy one in this province, in this country. It's an incredible amount of hard work and commitment to that industry, to that lifestyle, with dedication, skill and talent on the part of those people.

We learned in that committee that dairy products are being pushed aside by edible oil food products that are masquerading as cheeses, milks, yoghurts and other types of dairy products. Quite frankly, it's criminal to pass off something that is the furthest thing in the world from dairy as a dairy product, as something that came from the hard work and management of hard-working dairy farmers. New Democrats were, and continue to be, more than eager to see dairy farmers and their product protected.

However, take a look at the history here. The province, this government, is telling us that they're counting on the feds to create regulations that are going to protect dairy products and prevent imposters from the edible oil industry from taking shelf space away from those dairy products. But the fact is that the feds have not been forthcoming with that regulation. Understand that once the Edible Oil Products Act is repealed, then the province's regulation of those goods is eliminated. Getting that back on to the burner is going to be a feckless endeavour, to be most conservative about its estimation of success.

I'm concerned because January 1, of course, when the House is not going to be sitting, could well come around without there having been a satisfactory regulatory regime prepared by the federal government. Once January 1 comes with this bill, all the leverage is gone; it's over. The game is over. Whatever the feds produce is what we live with and what our dairy farmers live with. Understand that the competitors of dairy farmers are not small operators; they're big corporate entities. Unilever was one of the players in that committee room trying to argue the point for edible oil products masquerading as dairy products. I had no time for them, quite frankly. I listened carefully to what they said but I had no time for their argument. Their argument was without substance. But Unilever and their ilk, as corporate entities with huge resources, have incredible clout with the federal Liberal government—in the back pocket of the big, corporate personality. You know that. My Liberal colleagues here in the rump know that full well.

My fear is that the Unilevers can get to the minister's counterpart in Ottawa. My fear is that the Unilevers can use this but brief delay in the repeal as an opportunity to slide their agenda right through. I say to you that a far more effective proposal would have been to repeal the repeal and allow the Edible Oil Products Act to remain until an adequate regulatory regime was established. Having said that, you can bet your boots that people will be watching this government closely to ensure that January 1 doesn't come by without adequate protection for dairy farmers.

## DEFERRED VOTES

### GREENBELT PROTECTION ACT, 2003

#### LOI DE 2003 SUR LA PROTECTION DE LA CEINTURE DE VERDURE

Deferred vote on the motion for second reading of Bill 27, An Act to establish a greenbelt study area and to amend the Oak Ridges Moraine Conservation Act, 2001 / Projet de loi 27, Loi établissant une zone d'étude de la ceinture de verdure et modifiant la Loi de 2001 sur la conservation de la moraine d'Oak Ridges.

**The Speaker (Hon Alvin Curling):** We have a deferred vote on the motion for second reading of Bill 27, An Act to establish a greenbelt study area and to amend the Oak Ridges Moraine Conservation Act, 2001.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1408 to 1413.*

**The Speaker:** All those in favour, please rise one at a time to be recognized by the Clerk.

#### Ayes

Arthurs, Wayne	Duncan, Dwight	Patten, Richard
Bartolucci, Rick	Flynn, Kevin Daniel	Peters, Steve
Bentley, Christopher	Fonseca, Peter	Peterson, Tim
Berardinetti, Lorenzo	Gerretsen, John	Phillips, Gerry
Bisson, Gilles	Hoy, Pat	Prue, Michael
Bountrogianni, Marie	Jeffrey, Linda	Pupatello, Sandra
Broten, Laurel C.	Kennedy, Gerard	Qaadri, Shafiq
Bryant, Michael	Kwinter, Monte	Ramal, Khalil
Cansfield, Donna H.	Lalonde, Jean-Marc	Ramsay, David
Caplan, David	Levac, Dave	Rinaldi, Lou
Chambers, Mary Anne V.	Marchese, Rosario	Sandals, Liz
Churley, Marilyn	Marsales, Judy	Smitherman, George
Colle, Mike	Mauro, Bill	Takhar, Harinder S.
Cordiano, Joseph	McMeekin, Ted	Van Bommel, Maria
Craitor, Kim	McNeely, Phil	Watson, Jim
Crozier, Bruce	Meilleur, Madeleine	Wilkinson, John
Delaney, Bob	Milloy, John	Wong, Tony C.
Dhillon, Vic	Mitchell, Carol	Wynne, Kathleen O.
Di Cocco, Caroline	Mossop, Jennifer F.	Zimmer, David
Dombrowsky, Leona	Oraziotti, David	
Duguid, Brad	Parsons, Ernie	

**The Speaker:** All those opposed, please rise.

#### Nays

Arnott, Ted	Hudak, Tim	Ouellette, Jerry J.
Baird, John R.	Klees, Frank	Runciman, Robert W.
Barrett, Toby	Martinuk, Gerry	Scott, Laurie
Dunlop, Garfield	Miller, Norm	Tascona, Joseph N.
Eves, Ernie	Murdoch, Bill	Witmer, Elizabeth
Hardeman, Ernie	O'Toole, John	Yakabuski, John

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 61; the nays are 18.

**The Speaker:** I declare the motion carried.

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I move that the bill be referred to the standing committee on general government.

**The Speaker:** The bill is accordingly referred.

### WORKERS' MEMORIAL DAY

**Hon Christopher Bentley (Minister of Labour):** Mr Speaker, I understand we have unanimous consent for each party to speak for up to five minutes on the International Day of Mourning.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent? Agreed.

**Hon Mr Bentley:** Today is a day of mourning. It is the day when we honour and remember those who have died, been injured or become ill from their work. Today is a special day for those we remember. But it is also a day like the rest, when mothers and fathers, sons and daughters get ready for work.

A special day when we remember the pain and suffering of those who have been injured, killed or become ill. A special day when we remember the hopes and dreams, the promise of a future that will not now be realized.

A day like the rest: the alarm, the rush to eat; plans for the day are quickly made. Do the children need to get up yet, or is it too early? The quick hug goodbye—or maybe that was missed in the rush.

A special day when we remember the anguish of those who received the call about their loved ones or who saw them suffer from disease.

A day like any other, where almost 1,000 Ontarians will be injured in workplace accidents—over 300,000 every year—and others will contract occupational disease that will not show up until years later. A day where someone might die of a workplace accident or occupational disease.

A special day where we stand silent and remember. We remember so others will not forget. We remember so others will learn. We remember so we all will succeed. A day where we stand together and say, “No job is worth a life. No job is worth injury or illness.”

How, then, do we honour the memory of those we remember? We honour them by refusing to forget. We honour them by pledging to do better. We honour them by using the knowledge we already have to make our workplaces safer and healthier. We honour them by standing together, regardless of party or position, regardless of age or occupation, from every corner of this province to say, “No more.” We honour them by working together to prevent every accident, injury, illness and death in the workplace.

By honouring their memory in this way, we will be one step closer to the day when we can stand on the day of mourning and say, “We remember the fallen, but over the past year there have been no new names to

remember”; one step closer to a day, like all the others, when every mother and every father, every son and every daughter, returns from work healthy and safe.

1420

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** Today I join with my colleagues on all sides of the House to say on behalf of our party some words concerning this, the International Day of Mourning. Today we have the opportunity to remember the many workers who have suffered injury or illness or lost their lives while on the job.

Today is a day when we are all reminded, and certainly there have been many examples given to us this past year, of the terrible human, social and economic toll that workplace illnesses, injuries and fatalities can take. So today we join with the workers in this province, the employers and all the others to express our sincere condolences to the families and to the friends of those killed or injured in the workplace. Indeed we extend our sympathy to the family and friends of the steelworker who I understand was killed on the job in Sault Ste Marie yesterday.

Today is also an opportunity for us as legislators to reaffirm our shared commitment to the prevention of illness and injury and zero tolerance for fatalities, for health and safety is not a partisan issue.

I have said this since I was Minister of Labour in 1995: It is a human issue and we all bear responsibility to move forward, to do what we can to prevent illness, death and injury.

There are over 900 Canadians who die each year as a result of injury, illness and accidents in the workplace. So it is up to us to work together to ensure that our workplaces are healthy and safe. It is important that people work together in partnerships. We need to continue to develop the health and safety programs and we need to continue to provide the training that will prevent future illness, death and injury.

I know we have seen some improvements in recent years. However, there is still so much more to do. Education and preventive measures have begun to have a positive impact, particularly on our younger workers. I can remember, as Minister of Labour, receiving a visit from Paul Kells, whose 19-year-old son had been killed in the workplace, and speaking to him about his desire to set up a foundation that would prevent similar tragedies to the one his family had suffered. He set up the Safe Communities Foundation.

That's why we need to continue to stress the education measures, why we need to continue to stress the preventive measures. Health and safety must remain a priority issue for us. We must increase our efforts. So on this day we, as legislators, have that opportunity to renew our personal commitment to the task of eliminating future death, illness and injury, because one death or one injury or one illness will always be one too many.

**Mr Peter Kormos (Niagara Centre):** New Democrats, with the bittersweet understanding that this is a day of celebrating the incredible sacrifice of workers in the

course of building this province and this country, and their deaths, historically and currently—it's a tragedy that we have to use April 28 still. It's an opportunity to indicate that while we mourn for the dead we have to commit ourselves to fighting for the living and that condolences, no matter how warm and genuine, are of cold comfort to the child whose father or mother doesn't come home at 4 o'clock. They're of cold comfort to the spouse who is widowed. They're of cold comfort to the worker who is crippled and maimed in the workplace. They're of cold comfort to worker after worker after worker who continues to be slaughtered, murdered, in our workplaces.

When we say we fight for the living, it means more than simply regretting the fact that workers die and are poisoned and are maimed. It means, for instance, understanding that a unionized workplace is in and of itself a safer workplace. That means that we have to commit ourselves to the proposition that every worker in this province, in this country, has a right to belong to a trade union and a right to freely, collectively bargain so they can make safer workplaces. That includes agricultural workers—workers in one of the most dangerous workplaces in this province.

If we're really going to mourn the dead, if we're really going to fight for the living and we're really going to show compassion, then we've got to understand that the violence imposed upon workers isn't just physical, that it's the economic violence against a worker who is forced to work at minimum wage and for whom the concept of a 40-hour workweek is alien because they work at two and three jobs—the first one 30 hours, the second one 20, and the third one 18.

When we have debates about eliminating a retirement age of 65, we have to understand that the debate is really more about elderly workers having to continue working because of the inadequacy of their pensions, not about their right to work; about elderly people—our parents and our grandparents—feeling compelled to work, being compelled to work because their pensions, if they have one, have shrunk and because their savings have been eroded over the passage of even a few brief years.

If we're really going to mourn the dead, then we've got to fight and tell the Liberals in Ottawa to criminalize workplace slaughter and to criminalize workplace poisonings. By God, let some CEOs and presidents and boards of directors of corporations go to jail instead of merely paying fines for slaughtering workers, and you'll start to see some real incentive to create safer workplaces.

If we're really serious about mourning the dead, then we've got to ensure that every worker in this province has access to WSIB workers' comp. We've got to bring the financial services sector into the Workplace Safety and Insurance Board regime. In communities like mine, where the largest single employer is a call centre—at a financial institution, the largest single employer in my community of Welland, not one of its employees is covered by workers' compensation. Can you understand

the tragedy of that? Those workers suffer injuries too. I'll tell you what those workers suffer. Many of them are women who, at the ages of 45 and 50, suffer crippling carpal tunnel syndrome, and not a penny of workers' comp are they entitled to, because their employer is exempt from WSIB.

We've got a lot of work to do, and I say that mere words are of cold and little comfort. It's time for action. It's time to recognize that workers have to acquire increasing control over their workplaces so that they can create the safety that the rush for profits will forever deny them.

**Mr Michael Prue (Beaches-East York):** It was my privilege to attend the Toronto day of mourning, as I have done for many years. It was held today outside the offices of the Ontario Nurses' Association. That association, along with many other people, were there to mourn those who died during the recent SARS crisis.

Speaker after speaker spoke of the death of their colleagues, the stress on their families, the loss of income and the lack of safety guidelines. Mayor Miller, who was there to speak on behalf of the city of Toronto, chillingly told the assembled multitude that this is the sixth straight year that deaths have gone up in Canada as a result of lack of workers' safety, and there is much to mourn.

At the end, the people assembled agreed unanimously that we need to mourn the dead and fight for the living more than ever before. We really need to change the laws so that the actual statistics go down and not up.

**The Speaker:** At this moment we will all stand for a moment of silence in respect.

*The House observed a moment of silence.*

1430

## ORAL QUESTIONS

### USER FEES

**Mr Ernie Eves (Leader of the Opposition):** To the Acting Premier: I would like to talk about the subject of user fees and the principles of your party and many of your members today. I'd like to point out that in your expensive focus group yesterday, you talked about imposing user fees on anything from hunting and fishing and vehicle licences to the use of water and energy.

I would like to remind you that on May 10, 1996, your party put out a circular about user fees that said, "They're just silent killers hacking away at the quality of life, city by city, town by town." And I'd like to remind you of your own quote in this House on June 25, 1996, where you said, "Somewhere instead we have to start drawing a basic line under which we know the consequences of what happens when we impose ... user fees.... What we have then is a net reduction in the quality of life." You were speaking of the impact that user fees have on our society. Do you still believe that today?

**Hon Gerard Kennedy (Minister of Education):** Thank you for the question. It is interesting, I want to tell

you, that our party and our government are not afraid to talk to people and actually listen to them; to receive the advice, have considered input and have it done in a non-partisan fashion. I see the looks of non-comprehension over there that we well recognize.

But I want to say back to the Leader of the Opposition, he is talking to us about user fees, and he sat there and increased co-payments for seniors' drugs. That's the same party that tried to sneak through long-term-care fee increases on a long weekend; that downloaded costs on to municipalities, causing property taxes to go up; that increased user fees and made the 407 a never-ending enterprise.

What I would say to you is that we'll learn at the time of the budget how we have dealt with the advice coming from the public, but to hear this advice coming from the Leader of the Opposition is passingly interesting at least.

**Mr Eves:** What we're talking about are the principles of yourself, your colleagues, your Premier and your party. We're trying to establish whether you have any at all or whether you've thrown them all away.

Here are a few other quotes, one from Sandra Pupatello in this House on September 2, 1997: "You can call them taxes or you can call them user fees." There's no difference. That's what she believed then; it would be interesting to see what she believes now. On September 25, 1997, Dwight Duncan, the now government House leader and Minister of Energy, said, "There is only one taxpayer. The income taxpayer is the same as the property taxpayer and the same as the person who pays user fees."

Do you and your colleagues still believe that there shouldn't be increases in user fees anywhere, under any circumstances whatsoever? That's what you believed in 1994, 1996 and 1997, and we can bring you right up to date in the next question, if you wish. Do you believe that, or do you have any principles at all over there?

**Hon Mr Kennedy:** I understand it's not just prurient interest, and I'm sure the Minister of Finance would like to talk to him about the budget coming up.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. The minister made a full comment on the question already, so to pass it on—

**Hon Mr Kennedy:** I'm very happy to continue with that answer. The member opposite is asking us to indulge in budget speculation, and he may wish to direct that to the Minister of Finance.

*Interjections.*

**The Speaker:** Order. Would you allow him to respond?

**Hon Mr Kennedy:** What we have here is the opposition party up on their hind legs about user fees, which they made a constant source of grief to the people in this province, user fees they imposed on seniors and on vulnerable people right across this province. To ask us where we stand—we see where you stand. We see a lack of concern and a lack of consideration for the fundamentals of what is happening in this province.

**Mr Eves:** As recently as December 2001, your Premier, Mr McGuinty, is quoted as saying, "I don't believe in user fees." Also, during an interview with the Ottawa Citizen on May 14, 1999, he said that any Liberal government would pass taxpayer protection legislation within the first 100 days and that they would outlaw any increase in existing taxes or new taxes or user fees without a referendum. The Liberal leader went on to say, when asked whether a Liberal government would be willing to run a deficit to preserve health and education, that it would be up to the people of Ontario: "We can have a referendum." When can we expect the referendum?

**Hon Mr Kennedy:** What this House, the public of Ontario and the member opposite can expect is that this government will deal with his \$5.6-billion deficit and his \$2.2-billion overhead. He can expect that we will deal with the future of this province in a much more circumspect and much more balanced fashion than the mess they left behind. He can expect that on this side of the House our principles will include the views and the impact on every person in this province—not just a select few; not just a few select friends. In summary, you can expect a radically different government than the one that went before.

#### LIBERAL CAMPAIGN PROMISES

**Mr John R. Baird (Nepean-Carleton):** Yesterday the people of Ontario saw through the transparent attempt of this government to manipulate public opinion with their \$200,000 untendered contract to a high-priced consultant from Ottawa.

**Hon George Smitherman (Minister of Health and Long-Term Care):** Who's the question to?

**Mr Baird:** It's to the Acting Premier.

This focus group report was an attempt to justify your big spending and your big deficit.

There is another report you're not so proud of. It's a 60-page report, written by officials at the Ministry of Finance, that details the true cost of your campaign promises. Minister, are you afraid to release this report or is it that you're afraid Ontario taxpayers will soon figure out that it's you and your irresponsible, reckless campaign promises that are the real problem and the real reason behind Ontario's financial woes? Will you do that? Will you release the report?

**Hon Gerard Kennedy (Minister of Education):** I think the Minister of Finance is more than anxious to respond to that.

**Hon Greg Sorbara (Minister of Finance):** I will say to my friend from Nepean-Carleton, first of all, that apropos of the report of the Canadian Policy Research Networks organization, it is one of the most respected organizations of its sort in the entire country. The president of the organization, Ms Judith Maxwell, is one of the best-known and well-respected economists in this country. The fact that you—

*Interjection.*

**Hon Mr Sorbara:** I don't think he wants to hear the answer.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. The member from Nepean-Carleton, you're the one asking the question and you don't seem to be interested at all—

**Mr Robert W. Runciman (Leeds-Grenville):** We want an answer.

**The Speaker:** If you're asking for an answer, then you have listen to the answer and stop having a discussion across.

Supplementary.

1440

**Mr Baird:** Let's be honest: This government is running a closed shop; it's running a secretive, behind-the-scenes agenda that they're not prepared to stand in this place and be accountable for. You're afraid the public will find out that the real reason behind Ontario's financial woes was the reckless and irresponsible promises made by Dalton McGuinty when he was trolling for votes before last October's election.

What have you got to hide, and why won't you release this 60-page report? Why are you going to court to block the official opposition's access to this public document produced with Ontario taxpayers' dollars? Why are you doing that, Minister, and will you release this report today?

**Hon Mr Sorbara:** Let's get back for the moment to the report that Judith Maxwell made public yesterday and deal with the other report in a moment.

I will just tell him that within the context of pre-budget consultations, the expenditures we made were minimal in comparison to the quality of advice we received, not only from Canadian Research Policy Networks but also from consultations I led as Minister of Finance. We visited some 14 communities—three-hour consultations. One of the things most noted by me was the number of people who came to the consultations and said things like, "It's the first time in years that I have been invited to this sort of consultation," this from a teacher; from a nurse, "The first time since 1995 that we have been invited to these kinds of consultations." So let me just tell him that the advice we've received was—

**The Speaker:** Final supplementary.

**Mr Baird:** The fact remains, Minister, that we had a consultation with the people of Ontario. You didn't need to spend \$200,000 on an untendered contract to a Liberal-friendly firm in your boss's home riding to get that advice.

The worst idea contained in this bogus report is the idea of taxing lottery and gaming winnings. What a great idea. You'd have to change the slogan for Lotto 6/49 from "Imagine the Freedom" to "Imagine Dalton McGuinty's Hand Going Into Your Pocket for Another Tax Grab." That's what you'd have to do.

Minister, will you stand in your place and admit that this would be breaking faith with the commitment you made to the people of Ontario? Would you stand in your place and rule out any new tax and any increases in taxes,

just as you promised to do before last October's election? Will you do that, Minister?

**Hon Mr Sorbara:** Let's be fair to my friend and simply say that the expenditures in consultations that we incurred post-election would not have been necessary had that party, when they were in government and before they dissolved Parliament, came clean with the people of Ontario. If they had said, "The finances of this province are in a horrible mess. We want to be re-elected even though we've destroyed the revenue base of the province and let expenditures run wild," we wouldn't have needed those consultations.

I want to tell my friend—

*Interjections.*

**The Speaker:** Order. New question.

## STEEL INDUSTRY

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Acting Premier. I was in Hamilton today talking with steelworkers. They are worried about their jobs, the pensions of tens of thousands of workers and retired workers, and the future of their community.

Stelco is in financial trouble and they need the help of the provincial government, but your government and your Premier are showing no leadership at all. All you've offered so far is excuses and your version of the blame game. Acting Premier, when is your government going to show some leadership to sustain the jobs and the pensions at Stelco and the economic future of Hamilton?

**Hon Gerard Kennedy (Minister of Education):** Do you want to respond to that?

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** I want to reassure the people of Hamilton that this government is going to take every initiative we can to ensure that whatever happens on a going-forward basis is going to respect the fact that Hamilton is facing certain circumstances that are quite difficult with respect to Stelco going through the CCAA process, which is in court right now.

We want to reassure the people of Hamilton, as the Premier has and as this government has, that we will take seriously the situation with Stelco, we'll take seriously the situation in Hamilton, and we will endeavour to do what we have to do to make sure that situation is better in the future.

**Mr Hampton:** The fact is, so far your government has done nothing. I just want to give you some examples. I remember when Algoma Steel was in trouble. I was part of a government that showed leadership and got people to the table to sustain jobs and pensions. Provincial Papers in Thunder Bay, Spruce Falls in Kapuskasing, de Havilland Aircraft in Toronto, St Marys Paper in Sault Ste Marie: In all of those cases we showed leadership, so we were able to sustain jobs, pensions and economic activity.

So far, all I've heard from your Premier is an effort to engage in the blame game. So I put it to you again: When are you going to get to the table? When are you going to

show leadership? Are you going to do that soon, or are you going to continue to duck and try to play the blame game? When are you going to show leadership?

**Hon Mr Cordiano:** I want to make it clear to this House and remind members just what happened in the past, lest the member opposite have amnesia now. It was your government in 1992, the Bob Rae government, that allowed for a contribution holiday on pensions, and that created the huge mess we have today at Stelco—a huge mess. It was that irresponsible move, way back in Bob Rae's government—which, I remind the member, you were a part of. You were a cabinet minister in that government. It was that contribution holiday which created this huge mess.

I say to the member, furthermore, that he doesn't care too much about steelworkers; he doesn't care too much about auto workers. As he said in a quote—and I quote from the Toronto Star, December 16, 2000. What did Howard Hampton have to say about steelworkers? "We could blow our brains out trying to talk to these guys." That's a quote from you about the steelworkers.

All of a sudden he's worried about Hamilton and the steelworkers. You created a mess in the past. We take no—

**The Speaker (Hon Alvin Curling):** New question.

**Mr Hampton:** So that the minister can remember, in 1992, Chrysler Canada was in trouble.

*Interjections.*

**The Speaker:** Order.

**Mr Hampton:** Apparently the government does not want to hear these questions.

I already pointed out that, for example, Algoma Steel was repositioned. Kapuskasing's Spruce Falls was repositioned. De Havilland Aircraft, now Bombardier, was repositioned.

Are you saying that you can't take any leadership role? Are you saying your government doesn't have a role to play here, or are you just timid? When are you going to show some leadership?

There are all kinds of options open to you—all kinds of options. If you look at Algoma Steel, if you look at St Marys, if you look at Provincial Papers, if you look at Kapuskasing, Bombardier, formerly de Havilland Aircraft, there are all kinds of options for the provincial government to show some leadership. When are you going to show that leadership?

**Hon Mr Cordiano:** Let me guarantee the member opposite that the leadership shown around here is by our Premier, who said he intends to do everything to help the people of Hamilton. Let me remind members of the House, isn't it passing strange that this is the first time the leader of the third party has mentioned—even mentioned once—the Stelco situation and the plight of the workers in Hamilton? This is the first time you've discussed this matter in this House. So don't talk about leadership.

1450

We will show leadership. The Premier appointed a special adviser, Jim Arnett, to monitor the situation. In

fact, as I pointed out, Stelco currently is going through the CCAA process in the courts, and it would be entirely inappropriate to talk about any additional actions that might be taken—

**The Speaker:** Thank you. Supplementary?

**Mr Hampton:** Minister, let me point out some of the options that are open to you. We've had successful worker buyouts in this province before: Spruce Falls paper in Kapuskasing, Provincial Papers in Thunder Bay. We've had successful repositioning where the province comes to the table and provides a loan guarantee so private capital gets involved. Your government has done nothing. What we've heard from the Premier so far is an attempt to duck and engage in the blame game.

Monitoring isn't going to do it, Minister. When are you going to come to the table and put some real options there? When are you going to show some leadership for the workers, the retirees of Stelco and the economic future of Hamilton? When do we see the leadership? When do you stop playing the blame game?

**Hon Mr Cordiano:** I have to say to the leader of the third party, you want to talk about success? You had no success when you were the government. Business after business went out of business. There was a record of bankruptcies during the time you were the government; failure after failure. We won't make that mistake.

I tell you and I tell this House that the Premier of this province, Dalton McGuinty, is showing leadership. He has clearly indicated that we will be helping the people of Hamilton. We will be looking at the situation with Stelco. But I want to remind members that it was the government of Bob Rae that allowed for a contribution holiday to pensions, that created what we now have, a billion-dollar mess in Stelco. That is directly laid at your doorstep, and it's your responsibility and your fault. We'll clean up that mess as we have to clean up the messes created by the previous government.

## TAXATION

**Mr Tim Hudak (Erie-Lincoln):** A question to the Acting Premier: Is your proposed tax on lottery and casino winnings a tax increase by your definition?

**Hon Gerard Kennedy (Minister of Education):** I'll refer this question to the Minister of Finance.

**Hon Greg Sorbara (Minister of Finance):** I simply can't agree with the premise of the question, so it's very difficult to answer it. He refers to our "proposed tax" on lotteries, and there is no such proposed tax on lotteries. So the question really doesn't have any meaning.

**Mr Hudak:** I guess the finance minister hasn't read his own untendered, taxpayer-funded, \$200,000 contract that puts this on the table. The Toronto Star found it, the Toronto Sun found it: the new McGuinty plan to tax lottery and casino winnings across the province of Ontario. The taxpayers fought back in diners and restaurants across this province against the McGuinty-proposed soup-and-salad tax. You had to back down. Don't tell us you're going after these things again.

Look at this report. It talks about increasing hunting fees, fishing, boats, cars, tap water, alcohol, tobacco and lottery winnings. Are you going to put your hand in the pocket of the winner of the Lions' Club bingo? We read the Premier's lips. He said, "No new taxes." This new tax on lotteries and casinos, Acting Premier: Just say it ain't so.

**Hon Mr Sorbara:** I will tell my dear friend from Erie-Lincoln a couple of things. Let's start with this: The sales tax exemption on meals \$4 and under never made it to first base.

*Interjections.*

**The Speaker:** Order.

**Hon Mr Sorbara:** It was never under active consideration. Long before the restaurant association and the opposition mounted their little foofaraw, it was off the table. I'll just tell him that what he needs to do is make sure that at about 4 o'clock in the afternoon on May 18—

**Hon Gerry Phillips (Chair of the Management Board of Cabinet):** Where?

**Hon Mr Sorbara:** In this Legislature—that we will all be present, and we will be presenting the budget, and it will start Ontario down a new road to better and sounder fiscal management.

## FOREST INDUSTRY

**Mr Michael Gravelle (Thunder Bay-Superior North):** My question is for the Minister of Natural Resources. As you certainly know, the forest products industry in Ontario is going through some very challenging times. In addition to the softwood lumber dispute and the rising dollar, several companies as well as area municipal leaders in my riding have argued that a decline in the wood supply is also having a significant impact on their ability to do business. Specifically, they have expressed concern about the quality of the ministry's forest information and how wood supply analysis is carried out in Ontario. Do you think these concerns are legitimate, and if you do, do have any plans to deal with the issue?

**Hon David Ramsay (Minister of Natural Resources):** I very much appreciate the continuing interest and the member's concern about the supply of wood fibre for his industries in northwestern Ontario. In fact, this first came up at a municipal meeting of the Thunder Bay Municipal Association that both Minister Bartolucci and I attended in November. Subsequent to that, I've met with forest companies that are very concerned, especially with the land set-asides that have happened over the last few years. It seems to me that we could do a better job in inventorying our forests and really identifying what wood fibre is out there. To that extent, I have announced a pilot project with Bowater Forest Products of Thunder Bay. We're going to be working with them in developing some better systems.

**Mr Gravelle:** I appreciate that. I think it's probably worth noting that when you and Minister Bartolucci attended the municipal meeting, that was the first time a

minister has ever attended a Thunder Bay district municipal meeting. We were grateful to see you there.

I'm very glad that you've been willing not only to acknowledge the concerns of the industry related to wood supply but also to deal with them. The pilot project with Bowater strikes me as a specific way to work out increasing the wood supply to the forest products industry. Having said that, can you provide me with more details on the pilot project and specifically how it will hopefully result in a more stable wood supply?

**Hon Mr Ramsay:** The other approach that I want to do—the previous government had really downloaded a lot of the responsibility of forest inventory to the forest companies. I would like the crown to take back a little more proactive role. What I see in the pilot project is more of a collaborative role between the ministry and the private sector. I would like to try this out but also start to apply a lot of the private sector forest inventory tools that I've seen. Some of it is a combination of satellite imagery with aerial photography that can basically identify trees right down to the forest floor. This is something that was never done before. I'd like to see that in a pilot situation with the ministry and companies working together. With that, we can come up with a more successful forest inventory system.

## CITIZENS' DIALOGUE ON BUDGET STRATEGY

**Mr Frank Klees (Oak Ridges):** My question is to the Deputy Premier. You will know that in the last election more than 12 million people in the province heard you and your leader commit to no new taxes. There was no mention of any user fees, and obviously that is what they expected. Can you tell us today how 250 hand-picked people have more to say and can overturn your entire political platform so that now we're facing a string of increased taxes and user fees for the people of the province? Can you tell me how 250 people can do that and have that effect on your policies?

**Hon Gerard Kennedy (Minister of Education):** To hear the member opposite talk—he has a really tough time, as his leaders and other do, in trying to understand the job that the government has: to listen to people. We picked the best non-profit organization uniquely placed to do this—they did it for the Romanow commission—to gather it up, and we got real input from people in this province. We have that as one of the many inputs that we've taken in. We're talking to the people in this province in terms of our agenda; we're not afraid to do that. But we are not going to do what that government did, which was to have a budget somewhere away from this place and spend a million dollars putting out pamphlets promoting it, trying to control public opinion rather than listening to people. We're not afraid of what the people have to say, and we're not afraid of putting to them the kind of mess that you left us. Let me tell you clearly: This government, once it has listened, will take action, will provide direction to this province and will

make up for the failings of the government that went before us.

**1500**

**Mr Klees:** At 250 people in six cities, that's 41 people per city. That's what you're listening to. I am interested, and I heard you say, "We are not afraid to receive the advice of Ontarians." I would like to put this challenge to the Deputy Premier: If, in fact, he is not afraid to listen to the people of Ontario, how many thousands of signatures on a recalled Dalton McGuinty petition will it take to have him listen and respond to that?

**Hon Mr Kennedy:** I understand very well. The members opposite, the government they went through, until the ramparts were burning, they weren't listening to anybody, but on this side of the House, we're receptive to good ideas, we're receptive to people talking to us, and we are listening.

You know what we're also not afraid of? We're not afraid of our responsibilities. We have to clean up after you. We have to clean up after the lack of fiscal probity on the part of the previous government. We have to clean up after the lack of direction you had in terms of dealing with essential issues, in terms of health care and education.

But we have in this government a direction, and we have built back the beginnings of trust again and what government can do. Part of that, yes, is having people spend eight to 10 hours, totally unpaid, of their own time looking at the issues of government. I can tell you that on this side of the House, every member has been engaged in problem-solving, in trying to do the things that are needed here. We didn't let a bunch of people in the backroom make decisions. That's what you did; that's your style. What's happening here is us and the public.

**Mr Klees:** On a point of order, Mr Speaker: I want to put the member on notice that we will be starting that recall petition, and we'll see how many of those—

**The Speaker (Hon Alvin Curling):** That's not a point of order.

### TENDER FRUIT INDUSTRY

**Mr Kim Craitor (Niagara Falls):** My question is to the Minister of Agriculture. Minister, the fruit industry is incredibly important in my riding. The tender fruit growers in Niagara are one of the keystone industries in the Niagara region and in all of Ontario.

I'm pleased to have met with a large group of tender fruit growers recently in Niagara-on-the-Lake to hear their concerns on many issues that impact their industry. They were all concerned with the impact that the plum pox virus would have on the fruit and ornamental tree industry. Yesterday, an announcement was made about the program to eradicate the plum pox virus. Could the minister tell this House and the people of Ontario about that program?

**Hon Steve Peters (Minister of Agriculture and Food):** I want to thank the member from Niagara for the question today, because Ontario is committed to working

with the federal government to provide its share of financial assistance to affected tender fruit growers in the Niagara Peninsula.

This funding announcement that was made yesterday is going to provide for an additional seven years of testing and sampling within the tender fruit industry. Over the past three years, over 600,000 samples have been made, but eradication of the plum pox virus is the key.

We want to make sure that we have a sustainable, successful tender fruit industry in this province. I think it's important to understand that plum pox is a virus that affects the tree; it's not something that in any way affects human health. I look forward to your upcoming question.

**Mr Craitor:** First, I want to say to the minister that myself and the people in my riding, particularly the growers, are glad that this issue is being addressed, but I also want to tell the House that the Niagara region depends on this industry for its direct economic benefits but also for the benefits derived from the tourism industry that this creates.

Throughout the summer and fall, people come from great distances to drive throughout the countryside to get the fresh Niagara fruit and fruit products that everyone enjoys. Everyone realizes that this drastic measure needs to be taken, but I am concerned about the growers who may have their trees cut down in the eradication process. Is there a program to provide compensation for their losses?

**Hon Mr Peters:** We're very concerned about this industry as well, because this is an industry that is a very important part of the economy of this province. I think it's important to understand that 80% of the stone fruit industry in all of Canada comes from the Niagara Peninsula. So this is an industry that we want to ensure is preserved. We're committed to working with the growers as well to ensure that there are adequate compensation programs in place. Part of this announcement that has been made by the federal government will provide up to \$20 million over the next seven years to assist those growers in the removal of trees but, I think more importantly, planting new trees, because we want to ensure that the tender fruit industry is one that not only thrives but survives. We recognize the important role it plays, not only in the economy of the Niagara Peninsula but in the whole economy of this province as well, and we're very pleased and proud to be standing behind this most important industry.

### STEEL INDUSTRY

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Economic Development and Trade. Minister, you and your Premier seem to be saying to the people of Hamilton, "Trust us." Well, here's your record on trust: You promised to protect the Oak Ridges moraine from development—didn't do that; you promised to lower auto insurance rates by 20%—they're going up by 20%; you promised to maintain the hydro rate cap—didn't do that; you promised to hire

5,400 new teachers—now the Premier is trying to deny that. When you don't have a game plan for Stelco, when you're simply standing there saying, "Oh, trust us," given your record of broken promises, why should the people of Hamilton trust you at all?

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** The question is really to the member of the third party. They didn't trust you at all because you didn't keep your word on public auto insurance. When you made that commitment—I remember it, and the member from Welland-Thorold, sitting beside you, will remember this—it was a solemn promise you made in that election campaign in 1990. In fact, you ran the whole election around public auto insurance.

Talk about amnesia. Talk about not living up to the promises you made and didn't keep in that election campaign, I say to the leader of the third party, on public auto insurance. Shall we talk about the social contract and the devastating effects that had? You threw collective bargaining right out the window. So I say to the member, don't lecture us on trust.

**Mr Hampton:** I say to the minister, you're the government now. Thousands of jobs are at stake, as well as tens of thousands of pensions and the economic future of the community. I'm simply saying to you, empty promises aren't going to work, denials aren't going to work, and playing the blame game isn't going to work. The people of Hamilton and the workers at Stelco deserve better. What are you going to do? What's your game plan to sustain jobs, to sustain pensions and to sustain the economic future of Hamilton? Don't engage in the blame game, and for God's sake, don't pretend that "Trust me" is going to work any longer. You've already broken too many promises. What's the game plan? Where's the leadership? Don't give us any more broken promises.

**Hon Mr Cordiano:** I want to remind the leader of the third party that the people in Hamilton, the Stelco workers, the people you refer to, trusted your government, and what did your government do in 1992? They allowed Stelco to take a contribution holiday, and as a result, the pension plan was not solvent. You did that. Your government did that. You were a cabinet minister. Where was trust there? Where was confidence then?

We are going to ensure that everything is done that can be done, by a government that acts responsibly. In this matter, I say to the member, we have appointed a special adviser, who is monitoring the situation with Stelco. Stelco is going through CCAA. That court proceeding is ongoing. That will be completed, and at that point this government will take the necessary and appropriate action in a responsible fashion—something your government failed to do. So don't talk to anybody else about trust and placing trust in this government.

## TAXATION

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** To the Acting Premier: We now know your \$200,000 report advocates more user fees; more fines; increased taxes on

alcohol, tobacco, gambling, lottery tickets, bingo tickets; increased taxes on boats, cars; tax hikes on gasoline, and diesel fuel may not be far behind.

Last September, your leader, Mr McGuinty, stared right into the camera, telling us, "I won't cut your taxes, but I won't raise them either." Acting Premier, are you going to eliminate what little credibility your government has left? Where once your leader was measured on a spend-o-meter, your leader is now measured on a Pinocchio meter. No wonder people are calling for a recall. Are you going to break the promise and jack up taxes?

**1510**

**The Speaker (Hon Alvin Curling):** Order. Do you want to withdraw that language? Would you like to withdraw that unparliamentary word?

**Interjection:** Which one was it?

**The Speaker:** "Pinocchio."

*Interjections.*

**The Speaker:** Order. I don't take it as a laughing matter, as a matter of fact, I'd like to remind the members.

**Mr Barrett:** I did make reference to a Pinocchio meter.

**The Speaker:** Would you withdraw?

**Mr Barrett:** I withdraw.

**Hon Gerard Kennedy (Minister of Education):** This former government is now reduced to lists of scare-mongering. They simply can't come to terms with—the lists of things you're talking about were brought forward by people in open discussion. Do you know what the people of this province do recall? They do recall a government too arrogant to listen to their ideas. They do recall a government that misused power, and they recall—because we can't forget it; the information comes out day after day—how the government misused their power to reward their friends.

There is example after example of people in connection with your government who had access, all right. They didn't get to say their ideas in open forum. They didn't get to put them down on paper. They didn't have them captured by the pre-eminent person of consulting with people in this province, getting their genuine views independently. They got it through the back door. That doesn't happen in our government.

**The Speaker:** Supplementary?

**Mr Ernie Hardeman (Oxford):** Minister, you picked the pockets of Ontario's public in a number of ways through increasing taxes. Now your report is calling for even more taxes, with the focus on luxury taxes. You've already gone to the easiest target, which is tobacco, and promised to increase those taxes even more dramatically in the future. It's sort of like taking candy from a baby, isn't it? I hope that doesn't give you any ideas.

Minister, with your fondness for raising taxes, tobacco farmers are worried that they will be easy targets over and over again. Can you assure tobacco farmers that your budget will not increase taxes on tobacco products beyond what you predicted in your election campaign?

**Hon Mr Kennedy:** We remember well the election campaign fought by a government saying there was no deficit, saying that the books were balanced. That's what every member sitting opposite told the people in their riding: "We've got this handled, folks." Instead, what did the Provincial Auditor find? A \$5.6-billion deficit with another \$2.2 billion of pressures, hidden deficits parked with children's aid societies, parked with hospitals, because you couldn't manage. You couldn't manage the responsibilities on this side of the House.

We say that we are listening. The people who want to know what we do with the input will listen to the fine Minister of Finance stand in his place in this House on May 18 and tell people in summary what we have done with the advice we've gotten. We will take a direction, and that direction will take into account every person in this province. We'll discharge our responsibilities fairly and, as the title of that very useful report said, in balance.

### SKILLS TRAINING

**Mr Dave Levac (Brant):** My question is to the Minister of Training, Colleges and Universities. For the past 10 years, I've been a member of a very progressive group in my riding dealing with the skills trades shortages we are experiencing in our community—and I know it's happening across the province as well. The Brant Skills Development Group is an organization that was formed by industry leaders in my riding to address this very important issue. Over the past several years, this group has desperately wanted to work with government to deal with the skills trades problem. The industries are willing; the school boards, that are part of this group, are willing; and the college in my riding, that is part of this group as well, is willing.

Minister, are you willing to meet with this concerned organization to hear their ideas and concerns regarding skills trades and tell them what our government is doing to solve this very serious local and provincial problem?

**Hon Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** I'd like to thank the member from Brant for that question. I'd also like to take this opportunity to ask him to convey my appreciation, our government's appreciation, to the Brant Skills Development Group. No government can do all that needs to be done on its own, and I'm really pleased to have partners like that group.

I would be very pleased to meet with them and share with them our recent announcement of \$18 million in apprenticeship program enhancements. Please convey to them that I am looking forward to meeting them.

**Mr Levac:** Thank you very much for that commitment. I know that our group and the industries in our riding will be very pleased to hear that response, knowing you want to be a partner in this problem across the province as well. Minister, thanks for making that commitment.

While investing in skills training is a very important thing for Ontarians to achieve that potential, it's not the only way to do it. I know that many college and univer-

sity students, as we speak, are starting to return home to my community and communities across the province and are still in search of a summer job that sends them down the path to those types of skills we're talking about. Minister, can you please inform this House what the government is doing to help those students in my riding and in ridings across Ontario start their path toward skills development?

**Hon Mrs Chambers:** I'm also pleased to share with the member from Brant and all members in this House that we recently announced \$50 million in summer job programs that will serve 57,000 students, and this—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. Let me see if I can get the member for Nepean-Carleton and the member for Windsor West so we can continue our question period. Order.

Minister of Training, Colleges and Universities.

**Hon Mrs Chambers:** Thank you, Mr Speaker. I was focusing on this very important question. It's too bad the members across the floor are not interested.

The summer jobs for the 57,000 students: We need to share that across the province, and all members in this House should be interested in hearing that.

I'd also like employers to know that we will subsidize \$2 per hour what they pay these young people. I really hope they take advantage of this opportunity to help our young people.

### HAMILTON ECONOMY

**Mr Robert W. Runciman (Leeds-Grenville):** I have a question for the Acting Premier. Having been around this Legislature for some time, it seems like the government's economic policies are back to the future, when the former Liberal government almost doubled spending in this province, 32 tax increases over their five years, thousands of people building the welfare lists in this province, and we're starting to see the same impact occur after only six months.

It's especially having an impact in the city of Hamilton. If you read the Hamilton Spectator—

*Interjections.*

**Mr John R. Baird (Nepean-Carleton):** They think it's funny.

**Mr Runciman:** They think it's funny, Mr Speaker. I hope the people of Hamilton are noticing this. The Liberals laugh when we raise concerns about the city of Hamilton. That's what is happening: The Liberal benches are laughing. They think raising Hamilton concerns is a laughing matter.

*Interjections.*

**The Speaker (Hon Alvin Curling):** I'm having difficulty hearing the member from Leeds-Grenville.

**Mr Runciman:** Thank you, Mr Speaker.

Apparently they're also laughing at the Hamilton Spectator. I'm quoting from the Hamilton Spectator:

"Byline: Tara Perkins

"The Hamilton area hemorrhaged jobs in February, wiping out most of last year's employment growth....

"February's job losses are huge" in the city of Hamilton.

I would ask the Acting Premier, what are you doing to assist the people of Hamilton during very serious, challenging times? We know what has happened to Stelco. We know there have been manufacturing plants closed down. What are you going to do to assist that city?

**Hon Gerard Kennedy (Minister of Education):** The Minister of Finance actually has some news in direct response to that question.

**Hon Greg Sorbara (Minister of Finance):** I first want to say that the tone and the politics behind my friend from Leeds-Grenville are frankly unbecoming to a member who has been in this House for that long.

I want to say to him in all seriousness that we are concerned about events in Hamilton over the course of the past six months. Just yesterday we made an announcement on some property tax relief that has been in the works for two or three months. To give credit where credit is due, this program of property tax relief goes back to 1999. We continued that because the people of Hamilton need it.

We have a very serious problem in this province and this country on the question of steel manufacturing. This is a problem that has been experienced right across North America. We've taken a number of very important steps to try and resolve that issue, and there will be more. I await a supplementary.

1520

**Mr Runciman:** The minister says they're serious about the events in Hamilton. If they're so serious about the events and the actions of this government, why did they schedule a by-election before the tabling of his budget? I'd like to hear an answer to that question. Are they going to address the serious problems faced by Hamilton? What are the members, the Liberal members for Hamilton, doing with respect to the significant job losses, the closure of plants, the threat faced by Stelco? What are they doing?

They're playing political games with the future of Hamilton. They've slated a by-election before the budget because the impact could be very negative on the city of Hamilton. If they're serious about helping Hamilton, if they're serious about doing the right thing, postpone the by-election until after the tabling of the provincial budget.

**Hon Mr Sorbara:** I just say that the tone and flavour of that question is unbecoming to a member with such experience in this House. He asked about the by-election. We actually believe that democratic representation is a good thing. When seats become vacant, as they have done in the tragic and untimely death of Dominic Agostino, you will see us act expeditiously to make sure those vacant seats have elections as quickly as possible. That's what we've done in the riding of Hamilton East. We think that calling that by-election as quickly as we can was a tribute to a man who believed in democracy and believed in his party.

## WELFARE REFORM

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** My question is for the Minister of Community and Social Services. Our government recently did the right thing and lifted the lifetime ban for welfare recipients who had defrauded the system. I have, however, received some calls from individuals in my community, in Etobicoke-Lakeshore, who are concerned that we may be being soft on those who might seek to abuse and defraud the system. What are we doing to make sure that abuse and fraud does not occur?

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I appreciate this question from the member from Etobicoke-Lakeshore. The irony of the lifetime ban or the zero tolerance that the last government brought forward, the irony of that law in terms of how it impacted on those who committed welfare fraud, was that individuals who implement the program for us, our municipal partners, wouldn't actually go forward on a suspicious fraud case to the police because everyone understood that the outcome would be so punitive for people. We actually had individuals who should have gone forward for police investigation and didn't.

What we have done since we eliminated this case, changed this regulation and made all our municipal partners aware of this is that we now know these cases are being moved forward to the police, as they should be.

**Ms Broten:** Many people do abide by the rules and are turning to the system for assistance under dire circumstances and in times of need. What, if anything, is our government doing to help those families and people who turn to the welfare system in that difficult time?

**Hon Ms Pupatello:** As you know, there are many people across Ontario who have been long-time advocates for the poor and those who are in poverty. This Ontario government is one of those advocates. What I'm very pleased to see, as we move forward, is all of us, all cabinet colleagues, the caucus of the Ontario Liberal Party, moving forward to see how the Ontario government can change its policies to help people who are desperate, to help people who are in need. I, for one, am very much looking forward to the budget of May 18, so that we can see how our collective wisdom will be represented in that budget.

## WORKPLACE SAFETY

**Mr Peter Kormos (Niagara Centre):** To the Minister of Health: Since 1988, when the Ontario Legislature passed the NDP resolution to officially observe a day of mourning for workers, there have been almost 4,500 recognized workplace deaths in this province. Last year, pallbearers carried 327 Ontario workers to their graves as a direct result of unsafe workplace conditions, and another 359,000 claimed for compensation for work-related injuries.

Two major reports on SARS were released last week, and both reports urged major changes in occupational and safety rules and practices in our hospitals. Minister, please, tell nurses and other health professionals what the government has done to make sure they will not face the same terrible threats to their health and safety as they did a year ago during the SARS outbreak.

**Hon George Smitherman (Minister of Health and Long-Term Care):** I say to the honourable member, thank you for an excellent question. In one sense, as a result of the work that my colleague the Minister of Labour has already undertaken with nurses, represented by Linda Haslam-Stroud, the president of the Ontario Nurses Association, and by Doris Grinspun, the feisty and well-regarded executive director of the Registered Nurses' Association of Ontario, along with other representatives of unions working on behalf of people providing services in the public domain of hospitals, they have already been engaged in health and safety action groups related to health.

These are newly established and reflect the reality our government agrees with, and that is, there is too much incidence of workplace health and safety challenge in our hospitals. I have said that on countless occasions. We've begun to make investments in new bed lifts and other things designed to enhance the quality of environment for nurses.

With respect to the Campbell commission and the Walker commission, I'd be very pleased in a supplementary to give further evidence of our government's commitment to dealing with those excellent reports.

**Mr Kormos:** Indeed there were a number of other recommendations in those two SARS reports. One of the most important ones was to make the medical officer of health truly independent of political interference, the prospect of political interference, the risk of even the most remote chance of political interference. Complete independence for that chief medical officer of health was a promise you and other Liberals made during the election campaign, and like other promises, you seemed prepared to break it—another broken promise.

What are you going to do immediately to ensure that Ontario's chief medical officer of health is completely independent and can directly speak to the public and the Legislature? You know it has to be done. When are you going to do it?

**Hon Mr Smitherman:** I appreciate the question. It seems that the honourable member wasn't around last week to hear the response to the excellent reports that were brought forward by Justice Campbell and Dr David Walker on the issue of the independence of the chief medical officer of health. Justice Campbell's report in particular lays out the scenario, which this government accepts.

What I've committed to the public to do is respond to these comprehensive reports, keeping in mind that Justice Campbell's report is only interim at this point. We're going to move forward proactively within 60 days of that announcement. We've committed to respond in a com-

prehensive way. I've said very clearly that on each of the important areas of principle that are outlined in those reports, this government supports them and this government plans to act proactively by demonstrating, within 60 days, our commitment on all these points.

I really very much appreciate the opportunity to answer that question.

## TUBERCULOSIS

**Mr Jerry J. Ouellette (Oshawa):** I have a question for the Minister of Health as well. As I hope you're well aware, there is a serious health concern in the region of Durham. Just this week, health officials reported that about 700 patients might have been exposed to TB at Lakeridge Health in Oshawa and Bowmanville. The department of public health said this week that a positive TB patient frequented the ambulatory oncology clinic at Oshawa, dating back to February of this year.

I personally know individuals who began their TB testing during the first week of April of this year, and unfortunately for Lorn, he tested positive. Lorn and his family were told at that time that because of his weakened state, because of the other disease he has, TB came forward as a result of that. Can you tell us why TB was not reported in February and it took from February to last week to notify 700 individuals?

1530

**Hon George Smitherman (Minister of Health and Long-Term Care):** The protocols are very, very clear with respect to notifications related to infectious disease. The information we have is that the hospital and the Durham region health unit have been working together to identify any patients who may have been put at risk by any exposure to tuberculosis as a result of one patient testing positive for that infectious disease.

The Ministry of Health, through our public health branch, has been working in support of the hospital and the local health branch to ensure that people are notified, to ensure that people are tested and that they receive all necessary supports of the health care system, including medication and the like, to ensure a prompt and complete recovery. It's my understanding that the hospital was able to triage those cases in a certain sense by making sure that those people who are most seriously ill had the advantage of testing and treatment on a priority basis.

**Mr Ouellette:** Protecting the people of the province is paramount. What is it that you are actually doing for the patients as well, especially on this International Day of Mourning for workers—because workers have contacted me about that as well—to compensate those individuals, workers and patients, who have been quarantined for extended periods of time while we worked through this severe medical emergency in the area?

**Hon Mr Smitherman:** I'd say that our obvious priority is to support the health unit and the hospital in determining the extent of people's exposure to TB and make sure that they get the appropriate treatments.

With respect to quarantine, this is the first time that matter has been brought to my attention with respect to

funding challenges and the like. I'll undertake, as I did on Monday when I was first notified of this—I spoke quite immediately to the member—to determine that and get back to him on a very prompt basis and to do it personally.

## PETITIONS

### TAXATION

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I continue to receive hundreds of names on the meal tax petitions, gathered by McDonald's Corp and Tim Horton franchises in Simcoe, Tillsonburg and Caledonia.

“Whereas every day, 1.5 million Ontarians, including seniors, health care workers and students, purchase a basic meal that costs less than \$4; and

“Whereas a new 8% tax on such meals will disadvantage low-income Ontarians; and

“Whereas adding a tax for the first time on a glass of milk, a salad, a bowl of soup or a cup of coffee will affect a total of 1.5 million Ontarians each and every day in restaurants and cafeterias across the province;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“Do not impose a new 8% tax on basic meals under \$4.”

I affix my signature to this petition.

### IMMIGRANTS' SKILLS

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** I have a petition addressed to the Legislative Assembly which I would like to read now.

“To the Legislative Assembly of Ontario:

“Whereas Ontario enjoys the continuing benefit of the contributions of men and women who have chosen to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

“Whereas newcomers to Canada who choose to settle in Ontario find frequent and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

“Whereas Ontario, its businesses, its people and its institutions badly need the professional, managerial and technical skills that many newcomers to Canada have and want to use;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario, through the Ministry of Training, Colleges and Universities and the other institutions and agencies of and within the government of Ontario, undertake specific and proactive measures to work with the bodies regulating access to Ontario's

professions, trades and other occupations in order that newcomers to Canada gain fair, timely and cost-effective access to certification and other measures that facilitate the entry or re-entry of skilled workers and professionals trained outside Canada into the Canadian workforce.”

I agree with the petition, and I'll be signing my name to it.

### PROPERTY TAXATION

**Mr John O'Toole (Durham):** I have a petition from the riding of Durham to the Legislative Assembly of Ontario:

“Whereas recreational trailers kept at parks and campgrounds in Ontario are being assessed by the Municipal Property Assessment Corp, MPAC, and are subject to property taxes; and

“Whereas owners of these trailers are seasonal and occasional residents who contribute to the local tourism economy without requiring significant municipal services; and

Whereas the added burden of this taxation will make it impossible for many families of modest income to afford their holiday sites at parks and campgrounds;

“Therefore, we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

“That the tax not be imposed in 2004, and that no such tax be introduced without consultation and without owners of the trailers and trailer parks, municipal governments, businesses, the tourism sector and other stakeholders.”

I'm pleased to sign this in support of the constituents of the riding of Durham.

### PHYSIOTHERAPY SERVICES

**Mr Cameron Jackson (Burlington):** This is a petition to the Legislative Assembly of Ontario.

“Whereas seniors and other qualified patients require the continued provision of physiotherapy services through schedule 5 clinics to promote recovery from medical conditions and continued mobility and good health;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“The patients of schedule 5 physiotherapy clinics request the continued support of the Legislative Assembly of Ontario for provision of OHIP-covered physiotherapy treatment to qualified seniors and others in need of those vital health care procedures.”

It has my signature of support as well.

### UNIVERSITY AND COLLEGE FUNDING

**Mr Richard Patten (Ottawa Centre):** I have a petition which calls on the federal government to increase post-secondary education funding. There are over 2,000 petitions from students at Carleton University in Ottawa. It calls upon the federal government:

"Whereas the Ontario Liberal government has made a commitment to the Canadian Federation of Students to freeze tuition fees for at least two years; and

"Whereas the Ontario Liberal government has also promised students that this tuition freeze will be fully funded; and

"Whereas the increases in federal transfer payments to the provinces for post-secondary education have not kept up with inflation and today comprise a smaller portion of the Canadian health and social transfer ... than they did in 1995....

"We, the undersigned, petition the Legislative Assembly of Ontario to call on the federal government to immediately inject \$3 billion into the Canadian health and social transfer" fund "for post-secondary education."

I agree with this, and I will sign this as well.

#### WATER QUALITY

**Mr Garfield Dunlop (Simcoe North):** "To the Legislative Assembly of Ontario:

"Whereas the riding of Simcoe North is made up of many small communities; and

"Whereas not all citizens live in large cities such as Toronto, where access to municipal water service is taken for granted; and

"Whereas smaller communities have little, if any, access to municipal water services; and

"Whereas Ontario's smaller villages and hamlets are home to many community buildings such as churches, community halls and arenas; and

"Whereas those responsible for halls, churches, arenas and other community facilities take pride in ensuring these buildings have access to the highest quality potable water;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the implementation of regulation 170/03 as it relates to community halls and similar facilities be delayed; and

"That the province of Ontario ensure that the halls, churches, arenas and other public facilities on private wells comply with water standards that are reasonable and appropriate."

I'll sign that and give it to Kirsty.

#### TILLSONBURG DISTRICT MEMORIAL HOSPITAL

**Mr Ernie Hardeman (Oxford):** I have here a petition signed by in excess of 2,000 people from my riding and from the surrounding ridings. It is to the Legislative Assembly of Ontario.

"Whereas the Tillsonburg District Memorial Hospital has asked for ministerial consent to make capital changes to its facility to accommodate the placement of a satellite dialysis unit; and

"Whereas the Ministry of Health and Long-Term Care has already given approval for the unit and committed operational dollars to it; and

"Whereas the community has already raised the funds for the equipment needed;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Health and Long-Term Care give his final approval of the capital request change from the Tillsonburg District Memorial Hospital immediately, so those who are in need of these life-sustaining dialysis services can receive them locally, thereby enjoying a better quality of life without further delay."

I affix my signature to it as I totally agree with the petition.

#### TAXATION

**Mr Gerry Martiniuk (Cambridge):** I have a petition signed by good citizens of Cambridge to the Legislative Assembly of Ontario.

"Whereas every day, 1.5 million Ontarians, including seniors, health care workers and students, purchase a basic meal that costs less than \$4; and

"Whereas a new 8% tax on such meals will disadvantage low-income Ontarians; and

"Whereas, adding a tax for the first time on a glass of milk, a salad, a bowl of soup or a coffee will affect a total of 1.5 million Ontarians each and every day in restaurants and cafeterias across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not impose a new 8% tax on basic meals under \$4."

I am signing the petition with my constituents.

1540

#### OAK RIDGES MORaine

**Mr John O'Toole (Durham):** I have a petition from the riding of Durham.

"To the Legislative Assembly of Ontario:

"Whereas the Oak Ridges moraine is an ecological treasure that warrants protection and careful stewardship now and in future generations;

"Whereas the province of Ontario has recognized the importance of the moraine with the passage of the Oak Ridges Moraine Conservation Act, 2001, to protect natural and water resources, preserve agricultural lands and provide clarity on where development can and cannot occur;

"Whereas the act has resulted in certain limitations on citizens' use of their property within the moraine;

"Therefore, we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario take action to ensure there are no undue restrictions on Oak Ridges moraine residents making minor improvements to their homes and property; and

"That the province of Ontario work together with municipalities and landowners to ensure the interpretation and enforcement of the act continues to fully protect the moraine while also giving residents the right to fair and reasonable enjoyment of their property."

I'm pleased to sign it on behalf of my constituents in support of it in the riding of Durham.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to present a petition on behalf of the seniors in my riding like the Chmara and the Rowland families.

"To the Legislative Assembly of Ontario:

"Whereas, during the election campaign, the Dalton McGuinty Liberals said they would improve the Ontario drug benefit program but now are considering delisting drugs and imposing higher user fees; and

"Whereas the Liberal government has increased costs to seniors by taking away the seniors' property tax rebate and increased the price of hydro;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors' drug fees."

And in support, my signature.

#### TAXATION

**Mr Garfield Dunlop (Simcoe North):** This petition involves the \$4 food tax.

"To the Legislative Assembly of Ontario:

"Whereas every day, 1.5 million Ontarians, including seniors, health care workers and students, purchase a basic meal that costs less than \$4; and

"Whereas a new 8% tax on such meals will disadvantage low-income Ontarians; and

"Whereas adding a tax for the first time on a glass of milk, a salad, a bowl of soup or a cup of coffee will affect a total of 1.5 million Ontarians each and every day in restaurants and cafeterias across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not impose a new 8% tax on basic meals under \$4."

I am pleased to sign my name to that as well.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Cameron Jackson (Burlington):** This petition is now up to over 7,000.

"To the Legislative Assembly of Ontario:

"Whereas the Liberal government was elected after promising in their election platform that they were committed to improving the Ontario drug benefit program for seniors but are now considering delisting drugs and imposing user fees on seniors; and

"Whereas prescription drugs are not covered under the Canada Health Act unless dispensed in a hospital; and

"Whereas the federal Liberal government refuses to acknowledge this as a necessary health service despite the Romanow report's strong support for a national drug program;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To immediately and unequivocally commit to end plans for the delisting of drugs for coverage under the Ontario drug benefit program;

"To immediately commit to ending plans to implement higher user fees for seniors and to improve the Ontario drug benefit plan so they can obtain necessary medications; and

"To instruct Premier Dalton McGuinty to demand more health care funding from Ottawa instead of demanding more funding from seniors."

It has my signature of support as well.

#### PROVINCIAL DEFICIT

**Ms Laurie Scott (Haliburton-Victoria-Brock):** "To the Legislative Assembly of Ontario:

"Whereas the government insists there is going to be a \$5.6-billion deficit;

"Whereas the government campaigned on a 'fully costed plan' that accounted for a \$2-billion deficit;

"Whereas the government campaigned on a 'fully costed plan' that included a \$1-billion contingency fund;

"Whereas the government campaigned on a 'fully costed plan' which included over 230 promises;

"We, the undersigned, call upon the provincial government to take the responsible approach and immediately apply to the projected deficit the \$3 billion the government said they had set aside. We believe this will substantially increase Ontario's ability to balance the books during the current fiscal year and solve the financial dilemma faced by the government."

This is signed by many people in my riding.

#### PROPERTY TAXATION

**Mr Gerry Martiniuk (Cambridge):** "To the Legislative Assembly of Ontario:

"Whereas an unfair situation has arisen under the Assessment Act;

"Please support extending regulation 390/03 so that it covers and protects me from taxation."

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to present a petition on behalf of seniors; these from Fort Erie, like the Pelletier and Lapadura families. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas during the election campaign the Dalton McGuinty Liberals said they would improve the Ontario drug benefit program but now are considering delisting drugs and imposing higher user fees; and

"Whereas the Liberal government has increased costs to seniors by taking away the seniors' property tax rebate and increased the price of hydro;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors' drug fees."

In support, I affix my signature.

#### ADOPTION DISCLOSURE

**Mr John O'Toole (Durham):** I have a petition here from the residents of Durham.

"To the Legislative Assembly of Ontario:

"Whereas in Ontario, adopted adults are denied a right available to all non-adoptees; that is, the unrestricted right to identifying information concerning their family of origin;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms, the UN Declaration of Human Rights and the UN Convention on the Rights of the Child;

"Whereas these rights are denied to persons affected by the secrecy provisions in the adoption sections of the Child and Family Services Act and other acts of the province of Ontario;

"Whereas research in other jurisdictions has demonstrated that disclosure does not cause harm, that access to such information is beneficial to adult adoptees, adoptive parents and birth parents, and that birth parents rarely requested or were promised anonymity;

"We, the undersigned, petition the Legislative Assembly of Ontario to enact revisions to the Child and Family Services Act and to other acts to:

"Permit adult adoptees unrestricted access to full personal identifying birth information;

"Permit birth parents, grandparents and siblings access to the adopted person's amended birth certificate when the adopted person reaches the age of 18;

"Permit adoptive parents unrestricted access to identifying birth information of their minor child;

"Allow adopted persons and birth relatives to file a contact veto restricting contact by the searching party;

"Replace mandatory reunion counselling with optional counselling."

I am pleased to sign this in support of my constituents in the riding of Durham.

#### ORDERS OF THE DAY

##### ADAMS MINE LAKE ACT, 2004

##### LOI DE 2004

##### SUR LE LAC DE LA MINE ADAMS

Resuming the debate adjourned on April 22, 2004, on the motion for second reading of Bill 49, An Act to

prevent the disposal of waste at the Adams Mine site and to amend the Environmental Protection Act in respect of the disposal of waste in lakes / Projet de loi 49, Loi visant à empêcher l'élimination de déchets à la mine Adams et à modifier la Loi sur la protection de l'environnement en ce qui concerne l'élimination de déchets dans des lacs.

**The Deputy Speaker (Mr Bruce Crozier):** Further debate?

**Mr Garfield Dunlop (Simcoe North):** I'm very pleased to be able to stand this afternoon and make a few comments in my time on second reading of Bill 49 and the debate on the Adams Mine Lake Act, 2004.

I have to tell you, my initial reaction to the introduction of this bill was very positive, because I look at pictures of the Adams mine—and we've seen these pictures for the last 15 or 20 years—and I see where the water is filtered through into the mine, or the quarry, whatever you may want to call it. It's kind of a scary thought, that we would actually want to put water at any time in a site like that. But I'm going to have trouble at this point supporting the legislation because of a number of reasons that I'd like to bring forward today and for some reasons that I'm very, very concerned about right in my own riding.

I simply cannot understand why, as part of the bill—and I'll read it here as part of the compendium that Minister Dombrowsky sent out—it says the amendment "does not apply to a body of water that is less than one hectare in area." I don't know why that was ever even put in there. I simply cannot understand, if you're dealing with landfill and you're dealing with water quality, why a one-hectare size of water would be adequate, which basically is what this is saying, to put in a landfill.

1550

I hope it doesn't mean that if there are tiny little bodies of water around the province—I'm guessing that's about 100 by 100 or about 10,000 square feet. I'm assuming that's the size and that it would be allowed. When we go to committee on this, and I'm hoping members of the government can actually provide us with information on this, I'm really looking forward to the answer to that particular question, because I think it shouldn't be there. Whether it's a body of water that's 50 feet square or a body of water that's 100 feet square or two miles square, why would you want it?

I remember the member from Perth-Middlesex a few weeks ago talked about how you wouldn't dump your water in the ocean. Absolutely; of course we wouldn't dump water in the ocean. I'm sorry; you wouldn't dump your waste disposal in the ocean. We've got a real responsibility here. We're at the turning point in waste management in Ontario. We're at the turning point of our protection of our groundwater sources and our groundwater resources.

I understand from a recent TV program I watched that less than 1% of the water that's available in the world today is actually potable. That's talking about all the different countries around the world: the Far East, the Middle East, Africa, South America etc. It's a scary

thought that of this wonderful resource we have that's completely necessary for our existence, only 1% is actually potable. So when we talk about mixing our waste with any type of water, it's a concern. It's a very strong concern of mine.

I've got to say at this point that the timing of this bill is incredible. I would have thought that the minister, who put out this document back in February—it's called the White Paper on Watershed-based Source Protection Planning. My understanding back in the winter when she introduced this as part of her expert panels on water source protection was that she was looking for the expert panels across the province that she had appointed to this committee to come back with some solid recommendations on what the issues were concerning water source protection and where we would actually go in the future.

So I was surprised when out of nowhere the minister came up with the Adams Mine Lake Act and said simply, "This is not acceptable," and, "This is a new piece of legislation and we're going to debate it in the House." Of course, it's warm and fuzzy and we all know that, for the very reason that you mix garbage with a body of water.

I know there are people in my riding who have talked to the minister's office and to people in the Ministry of the Environment. I'm really concerned about the technical reasons for bringing in the Adams Mine Lake Act, which in effect takes away all approvals that have been given to that site over the last 15 years. I repeat that the technical reasons don't seem to be in the piece of legislation. I don't know if they're going to be in the committee hearings or not, but certainly I know people across the province are looking for the technical reasons. So far, I believe the ministry and the minister's office have not been able to provide that information to the public. I think it's important that we do so.

Of course, the third point, which is really important at this point, is the fact that it happened as a result of a kind of pork-barrelling situation, in my opinion. I have a lot of respect for the Minister of Natural Resources, and I know he threatened to resign his position earlier this year if the Adams mine actually was approved as a landfill site. We've seen all kinds of media reports. I wouldn't want to think for a second that we would do something for a political purpose, like speeding—bringing an act forward before the white paper on watershed-based planning had been approved, before it had been completed, before we'd seen the recommendations from the expert panel and before we'd actually seen the legislation.

My thoughts were very clear on this, and I've made it clear in my riding as well. I think there should have been a moratorium put on the landfill at the Adams mine, and I think it should apply to all approved sites in the province where there is any concern about water on them.

I think since Walkerton, and I hope since Walkerton, we're all a lot smarter about how we treat our groundwater resources. I know we're expecting our agricultural communities to do it. I know we're expecting churches, community halls and municipalities right across our province to put in state-of-the-art water treatment sys-

tems so that we will never again in the future of the province have something like the Walkerton tragedy. As a result of that, both our previous government and the new Liberal government are implementing the recommendations made by Justice Dennis O'Connor in his report on the Walkerton inquiry.

For me to actually support the bill at this point, with what I would consider the one hectare, the pork-barrelling, the technical reasons and the fact that we didn't put a moratorium on this instead of a piece of legislation, because of the water source protection white paper that's been out on this, I think for that reason, I'm going to have a hard time supporting it, even at second reading.

I am looking forward to a lot of debate on this legislation. I really hope that the Ministry of the Environment and the minister are listening to this. I hope we're going to have a very detailed committee hearing structure on this particular piece of legislation, followed by detailed information and committee hearings on the legislation on water source protection when it's implemented. I don't know what the time frame is on that. I was guessing it would be introduced sometime this spring or maybe next fall, and hopefully we'd be able to deal with it some time in the next year or year and a half and actually implement it if we have to.

The fact of the matter is, it is a strong concern not only for municipalities but for all the residents of Ontario. So I would have rather seen a moratorium on the Adams mine lake and then dealt with the other issues later.

When I didn't see a moratorium and I actually saw a piece of legislation that was introduced without any technical reasons, I myself introduced a private member's bill here a week ago called Bill 62, An Act to prevent the disposal of waste at site 41 in the township of Tiny. Mr Speaker, you yourself know—and the people in this House have heard me state a number of times—my concerns about a certain landfill site in my beautiful riding of Simcoe North, in the township of Tiny. I want to tell you a little bit about it.

The reason I brought in Bill 62 last week was that I wanted it to parallel the Adams Mine Lake Act, because there are so many similarities. What the minister was saying when we talked about the Adams mine lake—it actually fills with water and it needs a permit to pump it down. It's water that filters in through the cracks in the rock below it, and it ends up looking like a lake. But I can tell you that from my perspective I've got a landfill that I've been made very much aware of, and every day I learn more information about this particular landfill. I'm really concerned that if I dug a hole in the middle of this large field—say the hole was 500 feet square, and I dug it down 10 feet—when I came back in the morning, there would be a lake there and it would need continual pumping.

For that reason, I see no difference between site 41 and the Adams mine. They are both fantastic supplies of good, clean drinking water, and both of them are going to end up with garbage from municipalities, possibly even from Toronto, being dumped in—or at least site 41 could

end up without being dumped in—and that's a real issue with me.

**1600**

I'd like to go back a little bit about this site 41 because it parallels it in a long way, and about Bill 62. I introduced the bill on Earth Day. We go back with site 41 to 1978, and the county of Simcoe and the municipalities in north Simcoe looking for potential sites. We've done a lot on that. In fact, it started around 1978, and by 1989 it finally got to the Environmental Assessment Board and was turned down. Right after it was turned down, it went back to Mr Peterson and Mr Bradley. They took a look at it in 1990, just before the election, and it happened to be, I think, a little bit more pork-barrelling.

At that time, the MPP for the township of Tiny was Al McLean. He had Elmvale in Flos and parts of—a fellow by the name of Mr Ken Black, who was the Minister of Tourism at the time, actually had Midland, Penetanguishene and Tay township. I would consider it was pork-barrelling at that time. I think the reason for the order in council to change the Environmental Assessment Board hearing was the fact—it didn't affect any of Mr Black's municipalities, so Mr Black was happy to see the order in council put in place, reversing the previous approval of the Environmental Assessment Board. That took the heart and soul out of the residents of that area until Walkerton.

Walkerton has changed everything right across our province. I can tell you, since the Walkerton inquiry and all the concerns, that there has been a huge demand for answers to this site, and it's brought back up again in spite of the fact that site 41, like the Adams mine, had full approval.

I know I can't show pictures and props and all that sort of thing in the House, but I'd like to show anybody in this House who would come forward, after I've had a chance to speak, a picture of a well casing that had blown off. In fact, I'll show you over there. It's a well casing in the middle of this field, 30 feet deep, and the water blew out by accident. The cap blew off it. I'm telling you, there were thousands of gallons of water an hour pouring out, just in the air. The county put the cap back on very quickly.

**Mr Khalil Ramal (London-Fanshawe):** Can you pass it to me?

**Mr Dunlop:** Yes. Please pass it to them. A picture tells a thousand words. If I could have the Minister of the Environment or anybody in this House, from my caucus or any other caucus, visit this site, in one second they would understand what I'm talking about. This is something we're really concerned about. There are huge volumes of water. When we do the calculations now, we understand that in the lifespan of that landfill, just to de-water the site it will use 16 billion litres of water. It's simply not acceptable, when only 1% of the water in the world is potable, to start taking that.

I think we've got to take a whole new look at what's happening with our landfills and our water. We tend to bury them in these pits, and the pits, of course—

**Mr John O'Toole (Durham):** That's excellent, Garfield. Good data.

**Mr Dunlop:** Well, no, it's not data; it's just a picture. I've sent this to a number of people, and there's a video that goes along with this. All our media have this, our TV stations etc. We're really concerned about it. The more we look at this, because of Walkerton and because of water source protection, what we're asking the agricultural community to do, what we're asking the municipalities to do, what we're asking our local churches to do, looking at the way we're handling our septic systems, our septage from our septic tanks—we absolutely have to do a better job.

I'm asking the minister to review Bill 62. I've already asked the Environmental Commissioner of Ontario, under the Environmental Bill of Rights, to review the approval process. I was supposed to hear yesterday. Today is April 28. I have a letter here from the ministry telling me that I would have an answer by April 27. I haven't had that answer yet but I understand that it may be in the mail. Hopefully the Minister of the Environment will actually approve my request for a review.

I can tell you that the county, under the current planning process, did a peer review of site 41, which parallels the Adams mine lake. I haven't seen the peer reviews of the Adams mine lake; I'd love to get a copy of those. But I can tell you that from the four different organizations, including the Ministry of the Environment, that looked at the peer reviews of site 41, there were over 200 recommendations. Somehow, the county and the ministry have to resolve that in order to put the landfill in. But the fact of the matter is, it doesn't even address water source protection legislation or the white paper on watershed-based planning. I cannot understand why anything would be approved right now by anybody in the ministry to let anything proceed until this document, the white paper, is approved. This is the bible of the future for landfills. It's the bible of the future for water sources in our province. It's a direct result of Justice Dennis O'Connor's report.

We can't take anything for granted any more. We may have to do a complete new review of how we handle our waste. To the members of the Liberal and Conservative parties who are here, taking it to Michigan is not acceptable either. Burying it in water is not acceptable. We have a responsibility. We're the 103 people, in this House right now, who can determine the future of our water sources right here in Ontario.

If you correct a few things in the Adams Mine Lake Act, I'll be there voting in favour of it. But one of the things you've got to correct is site 41. It can't go on. It simply is the wrong place. I invite anybody here, if there's anybody interested, to go up toward Barrie or Midland, even this summer if they don't go ahead and start digging the hole ahead of time. I'd love to show you, and I'll buy you lunch. We'll go down, Bill, to the Cricklewood. We'll go out and have lunch there and then we'll go over to site 41. Anyone would agree with me that it's the wrong location. That's why I introduced Bill

62. I hope the Minister of the Environment is listening to this. I hope they're listening to the concerns that we have here. It is not acceptable.

I know my time is almost up. It's funny, when you're really interested in a topic and you're trying to speak on it, how fast the time flies around here. But it is important to me. It's important to the residents of the county of Simcoe and particularly to the farming community out around the communities of Wyevale and Elmvale. This landfill is four kilometres from two municipal water systems: four kilometres from the beautiful little community of Wyevale, and everybody has heard of Elmvale. It's the home of many, many good hockey players and one of the greatest communities in our province. It's four kilometres from the municipal system of the town of Elmvale.

I'm pleading with the Minister of the Environment to take a serious look at this and not allow this to proceed, because every day something new comes out about it. I want to applaud people like Gord Leonard, Anne Nahuis and Steve Ogden, who have done a phenomenal job trying to bring this to the attention of the community.

I almost have my time used up, but I just want to say that the Adams Mine Lake Act makes a lot of sense in a lot of ways for me. I don't like mixing water and garbage. I know there are going to be different opinions here from other members of my caucus, but I'm speaking on behalf of the residents of the county of Simcoe when we look at this act. Hopefully, Bill 62, which parallels it, will get some consideration as well.

**The Deputy Speaker:** Questions and comments.

**Ms Marilyn Churley (Toronto-Danforth):** I'll be speaking for a little bit after this round of questions and comments. It was interesting listening to the member for Simcoe North, especially given that I think he's saying that at least some of the Tories might support this bill, stopping the Adams mine, which we will all applaud after the number of years we went through in this House fighting off every effort possible by the previous Tory government to dump Toronto's garbage in that lake. So that will be nice to see, if it actually happens.

The member for Simcoe North has talked about an issue that is of urgency to all of us. I heard the member for Ottawa Centre mention that landfills are out of date. He's right. Nobody is going to accept a landfill in their backyard any more. There is only one way to go. We all have to agree in this Legislature, in the most non-partisan way—if possible—possible; that is, we have to find a new approach to how we deal with our garbage. At the beginning of that, I think, we should stop calling it waste disposal or waste management and call it resource management. That's a change in mindset right there.

As long as we think of it as garbage, we're going to continue to try to find ways to dispose of it instead of finding other ways to deal with it. I'll talk about it a little later, but if we get seriously into composting and electronic waste recovery and all those things, we'll start treating these things as much as possible as resources.

Let's not forget those who might think we want to move into what's called new and emerging technology

and the latest forms of incineration. That is also not the way to go, because you go back to that mindset of throwing it into a pit somewhere and burning it. We really have to start thinking differently about our garbage.

**1610**

**Ms Jennifer F. Mossop (Stoney Creek):** I'm actually gratified to hear that this is one of these things we're all going to be working on together and making it the best possible solution, and that's a good thing. And I agree with many of the remarks my colleague just made.

The biggest challenge for humanity going forward is our waste and how we're going to deal with our waste. Whether it's garbage or sewage or livestock waste, this is going to be the biggest challenge for humanity globally, because if we don't come up with solutions we're going to be drowning in this stuff. And the solution, obviously, to everybody here, is not to take it and stuff it in a deep, dark hole in an unwilling community.

I'm pleased to say that in my riding, I have the two big municipalities of Hamilton and Niagara, and they are being proactive and working together to try to come up with solutions for waste. They're two huge municipalities and they know this is going to be a problem going forward, so they're working together. We had a very good meeting with them in January, and the former Ontario Minister of the Environment, Jim Bradley, was at that meeting with the two municipalities. He very wisely and sagely cautioned them that things would go well until it came to a location for whatever plan they came up with, because you always do get, "Not in my backyard." But we are going to have to, and they recognize that's an issue and they are coming up with great solutions. I think one of the best things we're doing, going forward, is coming up with plans for diversion—we've committed to 60% diversion from landfills by 2008—and also to making the environmental assessment process much more efficient and effective, because that will allow us to move forward on initiatives. That's my time for now, but I look forward to speaking on this again.

**Mr O'Toole:** I listened intently to the passion of the member for Simcoe North, whom I hear almost every week, if not every day, speaking with a lot of knowledge on site 41 in his riding of Simcoe North. I listen to what he says because he served in municipal government there, I believe as warden and reeve, and certainly knows of what he speaks. His passion and the documentation he has make a convincing argument. I'm certain that the Ministry of the Environment will listen to the member for Simcoe North.

I think it's important to recognize what's being said here. This site, I don't think anyone would disagree—perhaps Mr McGuinty's relative, Gordon McGuinty, from the rail north option, which was the Adams mine site option; I'm not sure if they're related, but probably there is some relationship. I hope it's not just a vindictive thing.

This has been a disputed issue for some time. If you look at the history, you'll indeed find that when Mr Bradley was Minister of the Environment under the

Liberals, they had a plan but they did nothing. They actually talked about it for a long time. In fact, when the NDP were elected in 1990, you'll see that Ruth Grier had a plan called the Interim Waste Authority. They spent \$100 million or something and never located one spoonful of garbage.

It's a very contentious issue. I leave it that they had made a good first step. They have abandoned the idea of the Adams mine site, but they haven't replaced it with any other destination, except to continue to truck our waste and all the pollution that involves to Michigan. I don't think that's an acceptable solution.

The member from Stoney Creek mentioned creative options. I'm waiting to hear them. They're looking at the incineration option, the gasification option, the recycling option. I think there's more to be done on this, and I'm waiting to see something besides the Adams mine, and I understand that. But right at the moment, the member from Simcoe North needs to be commended on site 41 and the work he's done, and I hope the minister listens.

**Mr Richard Patten (Ottawa Centre):** I'm happy to support the comments made by the members from Simcoe North, Stoney Creek and Toronto-Danforth. We've got to get real. It's quite astounding to me how long it takes, how long an outmoded concept continues to perpetuate itself—except for the vested interests. People are making money off carting garbage and dumping it, but environmentally we all know this is not the way to go.

I want you to know that there is a process that has to be considered. It takes Mother Nature's approach and it is called thermo-depolymerization. It can take all your plastics, syringes, tires, Styrofoam cups, you name it, anything you would not want to put in the ground over time, and under increased pressure it breaks this down into gases and grade 2 oil that is saleable, because it's pretty pure, on the open market. It is happening right now. There is a company called Changing World Technologies. They have a major project in Philadelphia. It takes their garbage and sludge and converts it. It is totally benign related to the environment. It breaks everything down into its original form, which means, as was identified by the member for Toronto-Danforth, that these are resources and they're saleable. You can sell these resources to companies.

Let's start thinking about this. Why the mayor of Toronto, the mayor of Ottawa or mayors of different communities don't do this is beyond me, other than the engineers of course are hooked into an old way of living, an old style of examining things and dumping things in the ground.

It's time to stop all this. Let's get with it. The new technology is the salvation of our environment in terms of landfill sites.

**The Deputy Speaker:** The member for Simcoe North has two minutes to reply.

**Mr Dunlop:** I'd like to thank the members from Toronto-Danforth, Durham, Stoney Creek and Ottawa Centre for their comments. I basically agree with what

everybody has said. Although I told you earlier I didn't know where I really stood on supporting this bill, there's one thing that's going to be very important about this debate we're having here. We haven't debated a lot around landfill in my time at Queen's Park. I don't know if the whip from the government can say that as well. That type of legislation hasn't come up since 1999, anyhow. It is an opportunity to do a lot of debate on this and get a lot of good ideas. Mr Patten from Ottawa Centre just made some interesting comments on one alternative.

There's no question: No one wants a landfill site. We all understand that, and we sure as heck don't want to mix it with our water. That's very important. We owe it to our citizens, and we certainly owe it to our citizens following Walkerton. It shed a whole new light. It doesn't matter who you talk to now, it doesn't matter what you mention in Ontario; people know about Walkerton. It just hit the headlines. It hit home. It was clean water. It was water source protection. It was how our municipalities deal with water, and how our agricultural communities deal with water and waste from nutrient management plans.

We have a real responsibility here. I think the best thing we can say today is that there's going to be an opportunity for a lot of debate on this bill. I'm hoping there's going to be an opportunity for a lot of committee hearings. This is an interesting bill to take to committee. No matter where you take it, people will want to come and bring forth their ideas. I think you're going to see the development community, conservation clubs, the OFA and everyone interested in the result of this and where we go with this, followed of course by water source protection legislation.

**The Deputy Speaker:** Further debate? The member for Toronto-Danforth. The NDP lead has been put down, so you have 30 minutes.

**Ms Churley:** Thank you, Mr Speaker. I'm thrilled; I've got a whole 30 minutes and Liberals clapping for me.

I have some criticism of your bill, I've got to tell you, I'll be upfront here, but first of all let me say the positive things I have to say. I'm thrilled that you've brought forward a bill that is killing Adams mine, hopefully forever.

**1620**

I'm a bit nervous, because you'll remember that when this came up at city council a few years ago, under the previous Tory government, and it was voted down there, the previous mayor, Mel Lastman, said, "Adams mine is d-e-d, dead. That's what he said. I'm quoting him, "d-e-d, dead," and we thought perhaps it was. But then, lo and behold, we saw Mike Harris and others fooling around and starting to do different things.

After the city of Toronto decided to ship its garbage to Michigan, a whole lot of shenanigans were going on to find ways to prevent it from going there. I don't have time to go into the details of all the incredible shenanigans that have gone on over the years about Adams mine. I hope that this time it really is d-e-d, dead. We just

cannot go on with this foolish concept of dumping garbage, because it becomes toxic. Once it goes in that water in the ground, it makes a toxic soup. The idea of putting it in the ground—

**Mr David Orazietti (Sault Ste Marie):** That's leadership.

**Ms Churley:** Don't go too far here now, I say to the member for Sault Ste Marie; don't tease the bears. When we, the NDP, were in government, we banned the Adams mine as an option. We got a lot of flak from that. I'm going to be honest. We got flak from Liberals at the time, including David Ramsay back then.

*Interjection.*

**Ms Churley:** He was teasing the bears, so I had to remind him, if you want to tease me here, that at one time the Liberals weren't onside with the NDP on this, but they have come around after all those years. The important thing is that the bill is before us and it will be passed.

**Mr Patten:** Slow learners.

**Ms Churley:** Slow learners.

The bill will be passed, hopefully. Well, they've got the majority and we're supporting it. Our support is key, of course. It will go through.

I really do want to thank and congratulate the people from the area. They must be so relieved that after all of those years, it's put to bed. I'm sure they're waiting anxiously for the legislation to be passed.

I shouldn't single out individual people, because there were so many involved in this fight for a number of years, so I will single out a few of the groups that we worked directly with over the years.

The Timiskaming Federation of Agriculture were down here on several occasions, giving press conferences and using their own money to have special independent studies done. They put a huge amount of effort, time and their own resources into trying to show the government and the public how dangerous this could be to farming in their locale.

The Timiskaming Band Council and Timiskaming First Nation: tremendous work. I remember they were here, along with the people from Public Concern Timiskaming, who all came down when city hall was making its final decision as to whether or not they were going to go ahead with this. I remember that I was down there, along with my leader, Howard Hampton, with all these people who were just so strong not only in putting forward their case, but also in standing firm and standing strong to oppose the big city of Toronto in its attempt to send its garbage there. At the end of the day, they were victorious, but they did put an awful lot of their lives on hold and spent countless hours and put a lot of their own money into the effort. I want to congratulate them, as I think we all should, because I believe that without them we might not be here today.

I know they continued to pressure the Liberal government when it came into power. There was an awful lot of concern in the early days of the new Liberal government, as you'll remember, because a draft permit

to take water had been issued under the Liberal government. There was serious concern. I remember that on Valentine's Day there was a special press release put out by people in the area expressing grave concern that the Liberals might, as well, let this go ahead. I want to congratulate them for keeping it up and finally getting victory here. Now we can all move on.

I do recall that in some of the things they talked about when they were in opposition to this dumping of Toronto's garbage in their lake up there, they really helped us also start to think ahead as to the things that we should be doing.

I also recall, not the last municipal election but the one before that, whenever it was, several years ago—Jack Layton was then the city councillor in my area of Toronto-Danforth and the campaign office had been opened for the election. The Timiskaming people came down, and they had nowhere to stay. We had a magical night in this campaign office in the riding, in the ward for municipal purposes, in Jack Layton's campaign office, where there was no place for everybody to sleep. They didn't have a lot of money, so everybody came to this campaign office and slept there overnight. People had their guitars and we were playing music. We really felt that was a magical night. They were preparing to go in to city council to fight this proposal.

Some of the things that they raised, and we raised, and the things that we need to talk about here, I alluded to in my brief statements previously. I'm sure that David Ramsay in particular is thrilled about this decision and had a lot to do with it, because he said he'd resign if Adams mine went ahead. We were going to invite him to come back across the floor again, if he had to do that. He reminded people.

I want to again remind people what we're talking about here and why this was such a big fight, why the NDP, back when we were in government, absolutely banned it and took it off the table as an option. It was because we knew then that it was just a dumb idea, although we had terrible problems, as everybody will recall. Poor Ruth Grier was the minister during the Interim Waste Authority days. Oh, my God, it was a very difficult time. I think she had bodyguards for a while, and some of the areas were listed as potential sites, not even necessarily final sites. That goes to show how dangerous an undertaking it is for any government to get involved in trying to site landfills.

I would say that would be true of incineration and those kinds of processes as well. It's just not going to happen without major fights and, I would say, defeat: the defeat of any government who gets into that area. So where does that leave us? It leaves us with having to not only talk the talk—because we have all been talking far too long about what we need to do. I would say that many of the public are light-years ahead of us in terms of where we should be.

I used to be known as—it's not a great thing to be known by, but I was—the garbage lady of Toronto. That's how I got into politics. It's true. South Riverdale,

where I live, used to be a very old industrial area, a very polluted area. I got involved in the environmental movement as a community activist and helped form a group called Citizens for a Safe Environment.

We formed specifically, when we began, to not even necessarily stop the city of Toronto from building what was then known as the latest technology, in what they call refuse-fired steam plants. What it really meant was burning garbage. The city of Toronto—this goes back to the mid-1980s—had decided they were going to build a new one, right in south Riverdale, where we already had all kinds of pollution problems. Kids in Riverdale, and you may have heard about this—because of pollution from a lead plant which went on for years and years in a low-income area, and nobody wanted to hear about it—were being poisoned on a daily basis.

It took the community, South Riverdale Community Health Centre and other activists, working very hard to make sure that governments finally paid attention. They had the blood of these children tested, and lo and behold, guess what? Their lead elevation was much, much higher than what was acceptable. These children are grown up now, and to this day they have learning disabilities. They got no compensation for that, but least the plant was closed down.

Then we started to close down other polluting industries in the area. We had the Ashbridges Bay garbage incinerator, the old one, that was spewing pollutants, dioxins, mercury, lead, over the community—not just over the community; it was spreading far and wide, depending on wind direction. And not only that, with the garbage incineration you had what's called bottom ash and fly ash. The better the pollution abatement equipment is—and people say that about things like garbage incineration and other kinds of gasification processes—the more toxic fly ash you have to dispose of.

**1630**

We managed to fight off, under Citizens for a Safe Environment, having the new garbage incinerator built. We did a lot of research. We were involved, as Citizens for a Safe Environment, in the very beginning of the blue box program, I'm proud to say. Then we successfully fought and got the Ashbridges Bay incinerator shut down.

I didn't know I was going to end up being elected, but one of the most interesting things that I experienced—it was actually very funny, because the blue box had started in all the front yards in my riding of Riverdale, as it was called at the time. They had blue boxes on their front porches. I had put out this beautiful piece of literature the first time I ran, about this big—a big, beautiful picture of my face, and "Vote for Marilyn Churley," or whatever it was. I'd knock on these doors—"Nice weather"—and in almost every blue box sitting on the front porch, looking up at me from the bottom of that blue box, was my face. At least it was going in the blue box and not in the garbage. That was an interesting time.

We've moved on from then, but we haven't moved far enough. We're way, way behind. I have a letter from a

few years ago—it was actually written to Mr Chris Stockwell, who was then the Minister of the Environment, in 2002—from Kelly Clune, who reminded us then about the extended producer responsibility deposit-return systems. Kelly said that Ontario and Manitoba, with the lowest rates of recovery for beverage containers, are the only two provinces in Canada without a deposit-return system for those products. That still remains the case.

Deposit-return programs in other provinces recover 75% to 90% of their containers. PEI—granted, these are smaller, especially PEI, and easier to do, but it still can be done on a larger scale—is outdoing all of us by requiring all carbonated beverages to be provided in refillable containers that have a refill rate of up to 20 times. I would say, if PEI can do it, we can do it here. Wouldn't you think so?

Then there are the take-back programs. These involve industries developing and financing collection systems to recover their products and be responsible for reuse, recycling or disposal, depending on the products and regulations. There are different ways this is done in other jurisdictions.

Those are two areas where the government needs to act immediately. I must say the government was in a rush to get this bill before us to stop Adams mine, and I know there is more coming on how we're going to deal with the rest of our garbage over the years, not just in Toronto, but across the province. There is the promise of a discussion paper on increased waste reduction, but to date that is woefully inadequate.

We were looking for, in this announcement—I'm not saying it's easy, and I'm sure there'll be others, so let me point it out first. The NDP didn't bring in a deposit-return system when we were in power; neither did the Liberal government before that and neither did the Tories after us. I know the same kind of pressure was put on the David Peterson government as was put on the Bob Rae government in terms of moving to that system: huge industry lobby from the Coke and Pepsi and pop industry. I was the Minister of Consumer and Commercial Relations responsible for the LCBO.

By the way, let me take this opportunity to thank the LCBO. Where's my little screech bottle? Yesterday, after—do you know this story? You must have read it yesterday. I got up, and to my horror I had this sobering awakening, so to speak. I read in the National Post an article by Graham Richardson saying that the LCBO had stopped stocking screech. You know I'm from Newfoundland, and transplanted Newfoundlanders need their screech from time to time. It's a tradition. So I came in and decided I had to do something about this. My staff and I phoned the LCBO to clarify, "Is this true? Are you really going to stop stocking screech?" and they said, "Yes, it's a slow seller." It just wasn't moving fast enough. They had in fact discontinued it some time ago but I hadn't realized it. So they confirmed it. Then I decided, "I'm coming in here, I'm asking a question and I'm going to explain to the Premier how this is letting down all the thousands of transplanted Newfoundlanders

who live in Ontario," but I got a note. I was sitting here with my question, and I did have a prop, Mr Speaker, I must admit, though I didn't get to use it. I had a little bottle of screech and I was going to show it to the Premier and demand that this very important cultural thing that was thrown out the door be brought back. But I got a note on my desk at about 2:30, before I got to ask the question, saying, "The LCBO just called and—guess what?—they're going to bring back screech." So I have invited the Premier to let me screech him in. I don't know, Mr Speaker, if you've ever been screeched in.

**The Deputy Speaker:** No, but I'm looking forward to it.

**Ms Churley:** I'll get back to the waste bill. I got diverted—speaking of diversion here—talking about the LCBO. But I'll tell you quickly, it involves drinking some screech and then kissing a frozen—usually a frozen cod these days. So we'll see if the Premier will. And I invite any of the other members to participate. But I digress. I'm getting calls from all over Newfoundland and they're very happy about that. But coming back to the LCBO: There should be no more excuses.

I was just talking about how difficult it is, and I'm sure you're hearing all the same things I heard. I can just imagine.

*Interjection.*

**Ms Churley:** Are you going to do it?

**Hon Jim Watson (Minister of Consumer and Business Services):** It's not my ministry. It's Cordiano.

**Ms Churley:** That's true; it's not any more. It was mine.

We have to do it now. We cannot avoid it any more. We thought we were in trouble then in terms of how to deal with what I now call resource management, our waste, but now we are truly in a crisis. We are not going to be able to site landfills any more, nor should we. In fact, the more we get away with being able to site those kinds of things, the easier it is to avoid going where we have to go.

None of us agrees that garbage going to Michigan is a good idea. I know Gord Perks from the Toronto Environmental Alliance, and I agree with him: Good for Michigan. Good for the people for saying, "We don't want your garbage." And good for them for saying, "We don't want any garbage that contains refillables and recyclables and all those things." We have garbage going across the border with bottles in it. They're supposed to be put in the blue box, but those are the kinds of things that are happening. That is not going to be a viable option.

We're hearing from communities all across the province already, "We do not want to take Toronto's garbage," and guess what? They're not going to. Toronto knows it has a big problem and it needs the Liberal government of Ontario, as do other municipalities across the province, to step in and make new and very stringent rules.

I believe the Liberal government said they were going to bring in a law that bans organics from landfills. Folks, we've got to do that now. We've got to move to a

deposit-return system. We're one of the few provinces that do not have that, and we have to do it. There is no choice any more. We have to start serious composting programs. I know there are pilot projects here in Toronto. We still don't have one in my community. I'm waiting for it. I know people are anxious to get it. I know that other municipalities—some are further ahead than Toronto; others aren't there at all—don't have the resources to do it. These municipalities are coming to us now, saying, "We can't afford to pay for the sewer and water under the new water regulations." We have farmers coming to us saying, "We're not going to be able to do what's required of us under the Nutrient Management Act without resources from the government." That is the reality. The government has to bring in these new laws banning organics from landfills—refillable bottles.

**1640**

A third piece I want to talk about today is something we don't discuss very much here. I'm sure some of you have heard me talk about my private member's bill, Bill 29, An Act to ensure that the producers of electronic equipment retain responsibility when their products become waste. This means a "plan for producer-financed collection, recovery and recycling of electronic waste," all about how it's determined and approved by the ministry exactly what that is.

We are far behind in this province, in fact in this country, compared to some of the US states and European countries. I don't know if people are aware, but this is becoming one of the fastest-growing waste problems in the world. You think about how quickly—almost overnight—technology is advanced these days. I'm forever having to upgrade this and upgrade that. I talk to so many other people, and there are hundreds of thousands of people constantly getting new equipment.

There are some small programs in place. I believe I heard a member the other day talking about a program in Brampton, the Noranda corporation recycling plant. It's a recycling facility for electronics, cellphones, photocopiers, computers, all of those things. I don't know much about that facility, but I certainly aim to find out more.

The government needs to pass this bill or bring in its own bill to make sure we have a very good electronic waste system in this province. Let me tell you why. It's not just because some of these things end up in our landfills and they shouldn't because it decreases the capacity there. Think about the toxins that are in all of that electronic equipment. It's a real dilemma. You've got things like some of the most poisonous chemicals we know of: lead and mercury. Those are the kinds of things that are going into our landfills, if that's where they end up.

But perhaps more shocking—I don't know if people are aware of this—is that computers and some of this other electronic equipment is being exported. It's a way to get rid of it. It's being exported to Asia where, if you look at the evidence there, we are causing great environmental damage and health hazards for the people who live there. It has been acknowledged by the industry. They know it's a problem and they want to try to help.

The interesting thing about this bill before the House, my private member's bill, Bill 29, is that the electronic industry—I must say this is not always usual when a private member has a bill—phoned up and wanted to see me about my bill, and I thought they were going to have a problem with it. They came in and they're very happy with it. They've already started. The industry has already set up a working group that's trying to deal with this very issue, and they're urging the government to move forward and bring in a bill. They'd be just as happy to see this bill pass.

I've got to say to the Liberals once again, they need help from the government. All of these things mean resources and assistance from the government. That is what they're looking at. I believe they were meeting with the minister—I'm not sure, but they're in the process of setting one up. I hope very much that we move forward on this because this is one of the areas where we have to move.

I mentioned three areas in particular today that would make a huge difference if we move quickly. There are the deposit-return refillable bottles. That means liquor and wine bottles. We know the beer stores have been doing it for years quite successfully. I know there are issues at the LCBO around different sizes and things. They've worked it out in other jurisdictions; we can work it out here too. That's one.

The Coke and Pepsi industry: I know the government is still relying a lot on—I was disappointed by that aspect of their announcement, that they are still going with the waste diversion body that was put in place by the previous government. It's known by some environmentalists as the window-dressing group instead of waste diversion because it is an organization that is dominated by the industry types. And bless them. Their role is to try to make as much money as they can and do it in particular ways; that's their role. But they should not have the majority in this Waste Diversion Organization. There are not enough representatives from municipalities or communities or environmental groups. I was surprised to see that the Liberals have decided to stay with that group and not change it, because what we saw under the previous government, under the Conservative government, was that this group in fact fights against moving forward, on the whole, with refillable bottles, with a deposit-return system; it fights against producer responsibility. And in many ways, to many of these industries, the blue box works best for them. Of course they're going to fight for it, as they should. But they're wrong on this one. For the betterment of society and the problems we have with our waste, we need to change that. We need to change direction.

So I would urge the government to revamp that organization, the Waste Diversion Organization. Review it, take a look at it and see what kinds of changes need to be made so that it's much more proactive in terms of moving us forward on the things we must get going on right away.

I also have to urge the government once again: These things will not happen quickly enough without the

leadership of the provincial government for the municipalities. We have to reach our target of 60%. It's my understanding that the 60% diversion by 2005 was announced, and now that has been pushed back to 2008. This is not acceptable. We cannot afford to do that any more. There are all kinds of information now and all kinds of programs. We don't have to reinvent the wheel here; we just have to have a commitment to make it happen and find the resources to make it happen.

I want to tell you, finally, how important, how vital—another component that we must move on much more quickly, and I mentioned it briefly, is composting. One of the biggest problems with landfill—of course we all know this—is that toxic soup that is created when you've got a whole bunch of organics rotting away, tonnes of it, in the earth. It rots. It becomes toxic. And that is what creates the smell, that is what creates the leachate that we were so scared of, had it ended up in Adams mine, but now in the ground.

That is the biggest problem with landfill. Halifax, Edmonton and other jurisdictions have taken their organics out of the garbage, and that's what we have to do. I think we would all agree with that. The more organics we can get out of landfills, and anything else that can be reused, recycled or whatever else—if we get that out of the waste stream and treat it as a resource, then, as in Edmonton and Halifax, what we have seen is that the amount of so-called garbage that's left over, number one, is inert. It doesn't have any smell. You still have the issue of some stuff left to deal with. Perhaps eventually we can even eliminate that. But the fact is, you don't have the same kinds of problems in siting the landfill when you get the organic materials out.

I just wanted to tell the government that these are the kinds of things that I will be pushing and that I would be very supportive of if I see the government making any of those efforts. Again, I am very pleased to see this bill before us today. I wanted improvement in the waste management side of things, but I'm very glad to see a bill that is stopping Adams mine in its tracks. We, the NDP, took it off the table in the 1990s as a waste management option, as we took incineration off the table as an option. Unfortunately, things went backwards after the Tory government came into being, and the whole focus was on getting the garbage and to dump it in the lake. That was wrong, and I applaud the government for moving forward on stopping that.

**The Deputy Speaker:** Just for the record, if the member for Toronto-Danforth was offering the Chair the opportunity to be screeched, I wanted to make sure you understood that I accept.

Questions and comments? The member for Sault Ste Marie.

1650

**Mr Orazietti:** I am pleased to provide a brief response with respect to Bill 49, An Act to prevent the disposal of waste at the Adams Mine site. I want to comment briefly and commend Ms Churley, the member for Toronto-Danforth, on her support for this particular bill.

We are moving in the right direction with this piece of legislation. This is a bad deal for Ontarians. It's setting bad precedent. Our government takes the environment much more seriously than the past government has.

I also want to be clear about something else. This is not an issue about northern Ontario versus southern Ontario. This is an issue about responsible environmental management of our waste. If we were taking garbage from our riding of Sault Ste Marie to Kirkland Lake, or if the Adams mine site were an hour outside of the city of Toronto, this would not be a responsible deal for anyone in Ontario. It has the potential to affect our groundwater supply, and in that respect we obviously need to take a look at the environmental process that was undertaken under the past government. There are some problems with it.

Our government is committing to people in this province that we will review that process and ensure that deals such as this do not find themselves brought forward to the people of Ontario. We promise to address this issue. We're following through on another commitment and another promise by our government. I'm very pleased we're doing that. The Adams mine site will never become a landfill in this province. We will not entertain other situations that are similar to this, because we know that it's bad public policy for Ontarians.

We want to be sure that we're sending a clear message on the future of this province, to the young people of this province, that we will become more aggressive with our recycling programs and work very diligently to ensure our environment is protected.

**Mr Dunlop:** I'm pleased to make a few comments on the member for Toronto-Danforth's leadoff speech, which she put off the other day. She brought up a lot of good points: that we have to look at more reuse of products, composting—a fantastic program for municipalities that can have it. My wife counts on compost. She goes out every spring and gets a bunch for the flower beds. We use it in our flower beds and our gardens.

I'd like to go back to the Adams Mine Lake Act just for a moment. It says in the act that the legislation amends the Environmental Protection Act to prevent the use of lakes as landfill sites. I don't like how the compendium reads, to be quite honest with you. It's almost a slap in the face for Ontarians to think that we would even consider using lakes as landfill sites. It goes on to read that the amendment does not apply to a body of water that is less than one hectare in area. I can't get my head around why it's even mentioned in the compendium or the legislation. It's going to be something that I think we have to explain to the citizens of Ontario. It's clear that we don't want to mix any type of waste with water. Just for the sake of the public, that's about two and a half acres. That's a very, very large building lot. A lake of that size would hold an awful lot of water. To even put that in there is scary.

I hope the government can go on in their comments and explain this, because I'm really looking forward to

an explanation of that part of the legislation. Anyhow, my time is up. I appreciate the opportunity.

**The Deputy Speaker:** The member for Timmins-James Bay.

**Mr Gilles Bisson (Timmins-James Bay):** Well, thank you very much, Mr Speaker. I'm sorry; you will get your turn, Monique. You'll be next, after the New Democratic caucus. I just want you to know—a good friend of mine from North Bay.

I just want to say three things. One, I want to thank my friend from what used to be Riverdale, which is now Toronto-Danforth, who used to be on the city council in Toronto. As some of the members of this House might know, Marilyn Churley has been a huge supporter in trying to ban this particular project in Kirkland Lake. As a person who has been on this fight since—God, this goes back to 1988 or 1989, something like that—Marilyn was always there, either at city council, or in government when she was a cabinet minister, in opposition with the Tories and now in opposition with the Liberals. She has always been consistent and very supportive of making sure that this project doesn't go ahead. We in northern Ontario want to thank you for that because it's good to know that it's not just people from northern Ontario who don't like this project. Quite frankly, Metro councillors and eventually city of Toronto councillors voted en masse against this project, and as a representative of northern Ontario, I thank those people in Toronto who supported us.

I also want to say that I think the member for Toronto-Danforth, our environment critic, was quite right: What the government is doing is good. We will vote for this. We don't have a problem. But you really have to put the steps in place to make sure that we don't need the landfill sites. We started that process under Ruth Grier when she was the Minister of the Environment. Unfortunately, the Tories got rid of the legislation. But now it's up to you. You're the government and we'll work with you in order to do what needs to be done to reduce waste.

The other thing is that every government has a hand in this, some positive, some negative. I'm proud to have been part of a government that back in 1992 banned the Adams mine as a project where you can dump waste. We made a law that banned that. I was proud to do that. I'm proud again today to stand as a New Democrat, this time voting with the Liberal government, to yet again ban garbage at the Adams mine. I want to thank my good colleague from Toronto-Danforth for her many years of support on this.

**Ms Monique M. Smith (Nipissing):** Thank you, to the member for Timmins-James Bay. I'm happy to comment on Bill 49 today in response to the member for Toronto-Danforth's. She spoke about the people in the north who have been fighting this project. I would just like to quote for the members today an open letter from Alex Melaschenko of Haileybury:

"I am writing to express my sincere gratitude to your government's decision to table the Adams Mine Lake Act, an act which will ensure the economic integrity of

Timiskaming and allay the fear of the possibility of our aquifer being eventually poisoned. Not only is this law an election promise kept, but more importantly, a morally correct one. Moreover, it is a decision siding with the ordinary citizens who have struggled for some 15 years against corporate and entrepreneurial greed.

"I also wish to express my thanks to the Minister of the Environment Leona Dombrowsky who has shown concern for the environment, and in our case, for the preservation of the most precious resource, our water. My special thanks are reserved for the Minister of Natural Resources David Ramsay for his steadfast and indefatigable opposition to two insane proposals in our region, namely the Adams mine landfill and the Bennett incinerator. As a resident of Timiskaming and as a politician, he too must feel that we are not a dumping ground for projects that, for good reason, nobody wants.

"The Adams Mine Lake Act, along with other legislation, such as increasing the minimum wage and reversing the inhumane law that forbade welfare frauds from ever again receiving benefits, sets your government, Mr McGuinty, miles apart from the previous one. In this respect, you are to be commended for making the province of Ontario a better place for everyone. After all, countries and governments are judged not by how they cater to the privileged, but by their compassion for the disenfranchised."

I wholeheartedly agree with the views of Mr Melaschenko, who so eloquently put his objections to Adams mine in an open letter to us yesterday. I appreciate his comments and I'm happy to be able to provide them to this House.

**The Deputy Speaker:** The member has two minutes to reply.

**Ms Churley:** I don't happen to have my screech here with me right now. I think the member for Nipissing just made history in this place. She read something right off her BlueBerry. I think we call them BlueBerries these days.

**Interjection:** BlackBerry.

**Ms Churley:** No. We call them BlueBerries now. Look, they're blue.

It must be a pleasure to read such a glowing letter for the government. I was going to say to the members for Nipissing and Sault Ste Marie, so little opportunity for a Liberal these days to be able to get up and say that they're keeping a promise. It must have felt really good. I'll give them that.

**Interjections.**

**Ms Churley:** It was a very good point. You've got to accept that. They're allowed to take shots at us every time they get up; we take a little shot at them and they get so defensive.

**Interjections.**

**Ms Churley:** I seem to have started a little bit of a storm, here.

I want to thank the members for Sault Ste Marie, Simcoe North, Timmins-James Bay and Nipissing for their comments. I believe that they summed up their

concerns. I know the member for Simcoe North has expressed some concerns about the bill. But overall we're all agreeing, I hope—I don't know about all of the Tories—that stopping the Adams mine is a good thing.

**1700**

Again, I'll say I'm proud to have been part of a government, back between 1990 and 1995, that said no right away to Adams mine. The idea of taking a whole bunch of toxic garbage and throwing it in water that would actually have groundwater—the garbage would go into the groundwater. That was the idea, that the groundwater would be used to cleanse this toxin, for perhaps 1,000 years if the pump didn't work more than 70 to 80 years. The whole idea was ridiculous from day one.

**The Deputy Speaker:** I might say at this time that the Chair did recognize the use of an electronic device. We will be dealing with this perhaps at more length at a table officers' meeting, but I would suggest that no one, the rest of the debate today at least, refer to electronic devices in the Legislature.

The member for Mississauga East.

**Mr Peter Fonseca (Mississauga East):** It gives me great pleasure to be speaking on the Adams Mine Lake Act, 2004. I'll be sharing my time with my colleague from Lambton-Kent-Middlesex as we talk about the legacy that our government is creating, and will be leaving, for this great province of Ontario. The environment is around legacy, because if we don't have clean air, clean water and a clean earth, what do we have?

The previous government, over booming economic times throughout the 1990s, focused on tax cuts, tax cuts, tax cuts, saying, "This is what the people want. They just want tax cuts." What did it bring us? Maybe people did put a little bit more money in their pocket, but it also brought us an environment that was being destroyed throughout Ontario—our air, our water—with no visionary thought to the future.

I often talk with my grandmother. She's 94 years old, and the big thing that she talks about is, "Our air is so dirty now in this city. Our land is getting dirtier and dirtier." We've got to change this. The great thing about my grandmother is that she wears these big glasses. They're bifocals. So she can kind of look down and read, and when she looks up, she can kind of see in the distance as her grandson is approaching.

What's great about having bifocal vision is understanding that, yes, we've got to take care of things that are right in front of us at the present moment, but we also have to look towards the future, the future for our kids and our grandchildren. That's what our government is doing. It's giving the people of Ontario the vision, the legacy that they so want, that had been taken away from them by the previous government.

I remember, as a kid here in Ontario, many of the conservation programs that we had in place in schools around turning off the lights or picking up the trash, making sure that we were clean. Very few of us—I don't think any of the kids in my classes in elementary school—came to school with asthma. I don't remember

one. Today we have classes filled with kids that have asthma.

This has been brought on partly by the previous government and the legacy that they left behind. Let's look at it. They decided on destroying our environment.

The Tory government eliminated all provincial funding for recycling programs and waste diversion. As a result, Ontario now has the lowest recycling rate in Canada. This is shameful. Ontario diverts only 25% of its waste, despite the Harris guarantee to reach 50%. Well, what was that guarantee good for? Not much. By 2000, Edmonton and Halifax had both diverted over 65% of their waste. That is where we are going: to diversion, to diverting at least 60% of our waste, and I hope much more.

As always said, an ounce of prevention is worth a pound of cure. We're going to have to pay the piper somewhere. The Tories, without that bifocal vision, only looked at the present. It was all about tax cuts so people could buy more stuff, but they weren't thinking how sick they were making our province.

The previous government not only left us with our fiscal deficit, as we already know, of \$5.6 billion, and a service deficit by not getting all 12 million Ontarians and our partners involved in moving our vision forward, but also an environmental deficit. Here is the Tory legacy: Whether it's the Adams mine, the construction of golf courses on sensitive lands, the sell-off of the 407 or the sale of government lands at rock-bottom prices, the previous government has consistently rewarded its friends at the expense of working families, with no thought or care for our children or our grandchildren.

We talk about democracy. We want a province run by the people, for the people. This is how they ran the province before us: Between 1995 and 2001 there was the Cortellucci group of family companies and related businesses that through 24 of their entities donated \$600,000 to the Tory party. The donations in 2002 for the Tory leadership: Individual Cortellucci family and business associates contributed nearly \$1 million to that party—\$44,000 to Mr Eves; \$40,000 to Mrs Witmer; \$46,000 to Mr Jim Flaherty; to the Minister of Health at the time, Tony Clement, \$40,000; Mr Stockwell, \$15,000. Stockwell didn't do that well, did he? So I guess they only gave him \$15,000.

There are contributions that come from many different individuals and often they spread them around to the different parties. In the year 1999 alone, the Cortellucci group donated more than—

**The Deputy Speaker:** Excuse me. Will the member for Mississauga East take his seat. We are debating Bill 49, An Act to prevent the disposal of waste at the Adams Mine site, and I would like to hear that come into the conversation, please.

**Mr Fonseca:** It's coming, Mr Speaker. I was just trying to give some background on how all this came about, and that's what we're talking about with the Adams Mine Lake Act. The Adams Mine Lake Act is showing responsible government, that we listen to the people. As the member for Nipissing brought up in that

letter that has been sent to us by different constituents, they are very happy that we were listening, because the previous government wasn't listening to what was happening up at Adams mine. How we are listening is by working with all interested parties here, not just one family or one group that has a special interest. We're listening to all—environmentalists, scientists, researchers, ratepayers, young people, businesses—to protect the environment.

The Adams mine issue is so important when we see what happened at Walkerton. We have to take care of our water because we cannot allow something like Walkerton to happen again. Walkerton touched so many people in Ontario, knowing how important our groundwater is. The new Minister of the Environment has really taken it under her belt to protect all waters in this great province of ours.

Often the opposition party talks about how things are done, and they bring this up under the cloak of darkness. The member from Erie-Lincoln often brings it up under the cloak of darkness. I've got to go back to the whole Cortellucci deal up there with the Adams mine lake, because under the cloak of darkness, that's how the previous government was dealing with this Adams mine issue. They were not open and transparent, listening to the people, making sure everybody was heard and making the right decisions, not just for today but for the legacy we would be leaving behind.

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Our government is making the right decisions. We are about conservation. We have taken a turn here. We are embarking on a new vision for Ontario that revolves around clean water, clean air and clean earth, and the only way to do that is to conserve. We're always going to have some kind of waste. The thing is to understand what that waste is doing to our province. We will be making especially our kids, because they are great role models even for their parents, aware of how important it is to recycle and make sure we are not wasting, not leaving those taps running all the time in our houses, not leaving the lights on. This province is the second-worst energy consumer per capita on the planet.

Thank you very much. It's been a pleasure to speak to the Adams Lake Mine Act.

**The Deputy Speaker:** Questions and comments?

**Mr Norman W. Sterling (Lanark-Carleton):** Much of the speech opposite was in fact part of landfill, garbage, with regard to the record of the previous government in terms of the environment. During that period of time, air quality—

*Interjection.*

**The Deputy Speaker:** I'm sorry. That's my fault. The member indicated he was splitting his time; the Chair's apology. There's a hockey game tonight, and I'm getting excited.

The member for Lambton-Kent-Middlesex.

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** Thank you, Speaker, and I hope you're going to have chicken wings while you're watching the game.

I want to thank the member for Mississauga East for sharing his time with me, and I also want to remind the younger member that some of us are already wearing bifocals. We do have that vision he's talking about, where we see things close up, but we also hopefully have that long-term ability to see what's coming.

When he mentioned that, I thought of my grandchildren, because those of us who wear bifocals also tend to be of an age that we have grandchildren. One thing that concerns me is what my grandchildren will have in terms of an environment to live in. We hear so often about all the difficulties and illnesses our children are experiencing, and I have constituents who ask me about certain illnesses their children are experiencing. They say to me, "Is that coming from our environment?" It is a real worry. So we need to look at this whole issue of the environment, and I'm glad we're doing that, as a government, and talking about things such as what we are doing with our garbage.

I'm also glad that I hear support throughout the House for this bill. The Adams mine is an issue that has gone on for a long time. I can well remember seeing on television and reading in the papers the blockades that were set up by the citizens of Timiskaming trying to prevent this from coming to them. I remember them blockading the roads. I remember them blockading the railroads, which kind of worried me because it reminded me of those old movies where you had somebody straddled across, tied to the railroad tracks. But it was something that was very important to them.

The member from Toronto-Danforth mentioned the Timiskaming Federation of Agriculture. That was a group of farmers who spent a lot of energy not just protesting in the Kirkland Lake area, but also coming here to talk to us about what was happening to them and the potential effects garbage in the Adams mine would have on the water in their area. They were concerned about what impact that would have on their livestock and what it would do to their livelihood. There was a real concern there, and I understand that concern.

The member from Simcoe North mentioned the fact that Walkerton changed everything, and it really did. We now are very conscious of what happens to our water. We worry about what gets into the water, and when we hear from the people in Timiskaming about the Adams mine, they tell us that they're concerned that the cracks and fissures in the rock will allow leachate from the garbage to get into the water. The member also mentioned that only 1% of the water we now have is potable. Most of us, when we think of the north, think of wonderful lakes, clear water and the cool drink we can have. To think that only 1% of water is potable and we might risk that kind of water is, to me, a very deplorable thing.

The very thought of garbage being dumped into the Adams mine makes me think of the old adage "Out of sight, out of mind." That's where we need to change our approach to what we do with garbage. We can no longer put it on trucks and send it down the 400-series

highways. Whether it goes to Michigan or the north, we can't just do that any more. That kind of thing has got to stop.

The answer is actually that we can do things such as diversion, and we are talking about 60% diversion by 2008. I've had the opportunity to go to Michigan to one of the garbage sites they have there. We toured the site, if you can imagine touring a landfill site. They showed us where they separated, and they do diversion right at the site. They took the organic waste and separated it away. Out of that, they collected the methane gas, which is then used to power turbines, and that created electricity for that community. They're actually able to power 5,000 homes from methane that comes off dumps.

When we talk about landfills, we use the word "landfills" as a way of making it something good, and it is true. If we look in other jurisdictions such as Europe, they're actually mining old landfill sites, trying to find ways of taking garbage that comes out of those landfills and making it into energy.

In Japan, they have a system called plasma gasification. What they do there again is take the garbage and instead of using—this system is not a combustion system, so there are no emissions into the air. It takes electricity, pushes it through gas, and it causes such heat that the garbage does more than just melt; actually, the structure completely comes apart. What's left are products that can be used either as metals or glass.

These kinds of processes and technologies are available in the world. As a society, I think we can do things with garbage. As the member for Toronto-Danforth said, it is a resource. We can make good things happen with garbage. That's what we need to look for in our own because if we're going to save the environment, we have got to stop just simply filling holes or piling it up and leaving it there, hoping at some point or another someone else will decide how we're going to save our environment.

My particular riding has two landfill sites. Those landfill sites are within half an hour of Michigan. There is a real, great concern in my riding that if, for any reason—and it doesn't necessarily have to be the state of Michigan passing a law. It could simply be something like a terrorist alert that would close the border and all of a sudden we're faced with what to do with all these trucks that are now going from Toronto to Michigan. We need to deal with these things. We can't just simply say, "OK. It's going to come back."

The greatest fear in my riding is that all these trucks will suddenly present at the two landfill sites in the riding and try to get rid of a day or two days of garbage in there. We can't just simply keep doing this kind of thing. We have to deal with the garbage at some point, and right now we are going to be doing this kind of thing.

Bill 49, in trying to put an end to the dumping of garbage or the potential for dumping of garbage at the Adams mine, revokes all approvals. Some people might say, "Is that fair to the current owners of the Adams site?" But we are also saying in this bill that we will

provide fair compensation to the company that owns the Adams mine. I think that is important. We're not saying we're going to compensate them for future profits, but we are going to compensate them for the expenses they have incurred so far. I think that's an appropriate thing to do, because we need to stop the Adams mine right now.

I applaud this legislation and, as I said, I'm very happy to hear the support for this in the House today.

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**The Deputy Speaker:** Now is the time for questions and comments.

**Mr Sterling:** As a former environment minister and having a lot of knowledge with regard to what our government did, I can only say to the member from Mississauga East that his comments are akin to the subject matter of this bill; I would call them garbage. Our government produced cleaner air. We introduced the Drive Clean program in this province, something the NDP studied and studied but did nothing about. As you know, at that time the blue box program was broken, so the Waste Diversion Organization was set up under my leadership as Minister of the Environment. I note that the present government has adopted that particular plan and will be utilizing it to go forward to drive up diversion, producing less and less garbage in the future.

I find a lot of this debate is motherhood, without real reasoning or reality as to what is happening out in the real world. What we have here is a government setting about closing down options for future landfill sites and offering no alternatives for where the garbage should go in the future. We have a very critical situation in the province now with regard to shipping our domestic garbage over the border. That is not responsible, in my view. We should be taking care of our own garbage, whatever we produce. This government is offering no alternatives to take on that responsibility. Being Minister of the Environment is a very difficult job, but leadership is not about closing down options and not offering new solutions; it's about offering new solutions, finding new solutions, actually doing something. We are waiting for that to happen.

**Mr Bisson:** I should never rise to the bait, but I will in this case. In my view, the Adams mine was never a new solution. I guess that's the problem I have with that debate. The former government felt that somehow it was important to move forward on the Adams mine project—

**Interjection:** Out of sight, out of mind.

**Mr Bisson:** That's exactly the point. The member across the way makes the point that using the Adams mine—I always felt—was promoting an out-of-sight, out-of-mind approach to dealing with Toronto's waste problem. I didn't see that as being a particularly good one. Neither do I see shipping waste all the way to Michigan as being any better.

The issue to me is, yes, I support the legislation—I never believed it should be shipped to the Adams mine—but what we really need to do, and this is where I agree with my colleague Mr Sterling, is try to find ways to approach how we deal with waste in our cities and towns

across this province. If we look around the world, or even in Canada, there are all kinds of good examples where various jurisdictions have found ways to reduce waste at site; for example, diminished packaging. We look at more recyclables; we look at various approaches when it comes to waste management that reduce our overall need to get to a landfill site.

**Mr Patten:** Polymerization.

**Mr Bisson:** Well, I'm not sure I want to go there; you almost baited me on that one too. I understand the position of the former Minister of the Environment, but I don't agree with it. I never thought the Adams mine was a good project from that perspective.

I want to say that I think this particular debate is interesting, but at the end of the day we're going to have to move forward with this fairly quickly. How much more can we say? We're basically all in favour, we think it is a great bill and we're trying to put things on the record. But at the end of the day we should vote on this thing and get it moving along through the House.

**Mr Tim Peterson (Mississauga South):** I'm happy to stand on Bill 49. I know that, as we move forward as a government, we will also incentivize the new solutions that are available for waste management. This is already being done in the area of the blue box and the grey box and other ways of collecting garbage that don't produce leachate. Leachate is an anaerobic process built up in plastic bags. If you look at the models of Nova Scotia and Quebec, they've actually banned plastic bags from landfill sites because the leachate is what creates all the contamination and allows the vermin, the rodents and the diseases that surround improper management of leachate.

The most responsible way to manage garbage is source separation; that is, the person who creates it separates it and takes out the recyclables. At that point, you're left with two different types of waste: a dry organic and a wet organic. Both of those organics can be used for making compost. I would hope that our government would look at the use of compost and the massive amounts that could be created just from the garbage generated by Toronto as a way of increasing the size of the soil burden in northern Ontario, where often the land is hurt because of the very thin soil layer we have.

We should look at other ways. Vance Packard in the 1950s wrote a book called *The Waste Makers* and how we will be mining our garbage. Even the people with the Adams mine site were going to use garbage for the production of methane gas for electricity. So as we go forward, may we look at these new solutions for mining our garbage.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** The member for Nipissing made the point, and it's a good point, that for so many people in our society, garbage is out of sight, out of mind. I would suspect that, for many people, perhaps the only decision would be, who's going to take out the garbage on Wednesday morning or Friday morning when it goes out?

Then where does it go? Many people probably aren't aware. They assume it goes to a local landfill. If they live

in York, Durham or Toronto, they probably know it goes barrelling down the 401 to Michigan. As the member for Nipissing indicated, if I heard her correctly, we quite simply can't keep doing this kind of thing. She's right. She will know that she has concurrence from a number of Michigan state senators and from the governor of Michigan.

I think you made reference to a terrorist threat. This information has been passed on to the head of the United States Homeland Security, Mr Rich. In fact, a number of months ago, he received a petition from a Michigan state senator that had about 165,000 names on it. There were names on that petition from every county in the state of Michigan.

The member from Mississauga East is quite confident that your government and your minister will reach the 60% recycling target by the year 2008. Last December we all received information in this House that the government was quite confident it would reach that 60% recycling target by the year 2005. It is concerning to have that kind of delay.

**The Deputy Speaker:** The member for Mississauga East has two minutes to reply.

**Mr Fonseca:** We are committed to that 60% waste reduction, as the member from Haldimand-Norfolk-Brant brought up.

To address some of the comments made by the member from Lanark-Carleton, it is about motherhood and it is about a province that we are happy to live in, that we feel good about. But it's also about facts, and the fact is that Ontario has the lowest recycling rate in Canada. Ontario diverts only 25% of its waste. That's the legacy the previous government left behind. That's what we're fixing and that's what we're committed to do. We are committed to the environment, to protecting and leaving this province better than we found it.

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The opposition has not changed. Just today in this House, as we were discussing the greenbelt and how important it is to curb that urban sprawl and to take care of our environment, all the members from our party voted for the greenbelt. The members from the third party, the NDP, voted for the greenbelt, but the opposition, in a block, voted against the greenbelt. They have not changed. They are not about a green Ontario. It's all about brown air—the smog.

Our government is committed to the future of Ontario, not just for today, but for tomorrow. It's a future that will bring us prosperity, because the people of Ontario have to live in a place they enjoy. To come to work, to be productive here, they have to be in an environment that they are enjoying and that they believe in.

**The Deputy Speaker:** Further debate?

**Mr Sterling:** I want to talk a little bit about landfill, and the fact that the Ontario Ministry of the Environment has some of the best experts with regard to landfill regulation specifications on how to build a proper landfill site. We have been blessed in the ministry with people who have received international recognition for their

knowledge and their skills with regard to how to bury waste when necessary.

No one likes garbage. Everybody would like everything diverted or reused or recycled. We all agree with that. So let's start talking about what in fact we do have to bury and let's try to bury it in the most safe and best manner, and try to encourage proponents to come forward who will in fact do this for us. I don't think the government wants to end up running landfill sites. It is primarily a municipal responsibility.

I guess that's where we get off into another track. That is, who on earth is going to want to bring forward a proposal for a landfill site in Ontario after this debacle? I don't really have feelings one way or the other about the Adams mine landfill site. I do know that some people in the north opposed it. I do know that some people in the north vehemently supported it, including the mayor and council of Kirkland Lake, on several occasions bringing forward resolutions to the province, asking us to go forward and approve this particular site.

But you know, what we have here is political meddling in a defined process for a business. The proponent started I guess back in 1990 and brought forward different proposals; undertook and invested money in various and different manners with regard to technical studies; went to the Ministry of the Environment with an environmental assessment; went to the Environmental Appeal Board; had a peer review of its reports; and went through all of the processes, crossed all the t's and dotted all the i's, with regard to bringing this proposal forward.

In the end there was a decision, a technical decision, that this was a safe place to put landfill. That was the technical decision. Now, I understand that lots of people who haven't read the reports—I dare say that probably none of the people who have spoken on this particular matter have read the reports—are saying, "This is an awful thing, to put landfill in the Adams mine." They're saying that on the basis of the fact that there has been a political decision by this particular government to annul, to just throw aside, proper and due process, and inject its political will on what has transpired over the last 14 years.

I want to home in on one particular aspect of Bill 49, and I can't support this bill as long as this particular section is in it. I'm not really considering the other matters with regard to this bill, but I'm referring in particular to section 5 of the bill, which extinguishes the right of the proponent to legal recourse with regard to what this government has done for political purpose.

I speak as a lawyer and as a professional engineer with regard to this Adams mine site. As I say, there appears to be—and there hasn't been any evidence introduced in this debate by the minister or by the government that there's any technical reason to change the decision that was made or the giving of the environmental approval for this site. There's no technical reason; therefore, we have a political reason for doing this.

Now, the rule of law says—and it's a very, very important concept in principle in Ontario, in Canada and

in any democratic institution. Basically, the rule of law says that each and every one of us shall be treated equally before the law. And in our Constitution, we have a guarantee in the Charter of Rights and Freedoms with regard to criminal matters that might be brought against you or me by a crown or by a private citizen under criminal prosecution, and that is that if, for instance, the province of Ontario decided to pass a law which denied me some of my basic rights as guaranteed in the Constitution, there would be no hesitation on the part of the Supreme Court of Canada, if it ever got that high, to throw that law out the door. We don't have property rights enshrined in our Constitution, and that is the only way that section 5 of Bill 49 can stand the test of the courts.

I want to read to you the editorial of the Ottawa Citizen for April 20: "Dumping the rule of law: Ontario's Premier shouldn't need basic civics lessons, but a bill now before Queen's Park demonstrates that Dalton McGuinty doesn't understand the basic principle of western civilization: the rule of law.

"That principle, for Mr McGuinty's benefit, holds that laws—clear, public and predictable—are what govern our actions. Not the whim of king or Premier. And, just as important, the law applies to everyone—from the humblest individual to governments, kings and, yes, even Premiers.

"Mr McGuinty's lack of understanding of this basic idea is clear in the legislation his government introduced to deal with the lingering issue of the Adams mine dump. In 1998, the then Conservative government gave approval to a proposal by a North Bay businessman to ship Toronto's trash by rail to an abandoned open-pit mine near Kirkland Lake. The project wound its way slowly through the bureaucracy. Several times it appeared the city of Toronto would scupper it. But it kept coming back to life until the McGuinty government announced it was officially and finally dead.

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"That's certainly the government's prerogative." And I'm not saying that it isn't the government's prerogative to kill this particular proposal, if that's what they want. "But the businessman is now out of pocket for millions of dollars in expenses. He has also seen any expectation of profit from the project vanish after all these years because the government, which is in effect his business partner, suddenly changed its mind. Clearly, he has to be compensated. And that's why we have the law. The laws governing civil liability are voluminous and complex and we wouldn't presume to say precisely what is owed, but that's what the law is intended to sort out. Every day, individuals, companies or governments pull out of deals. Then the law sorts out the mess.

"But not this time. Mr McGuinty knows the law would likely say his government is liable for major damages and he doesn't want to pay. So he added clauses to the Adams mine legislation that say the businessman may receive compensation for out-of-pocket expenses but nothing else. Any legal claims, existing or future, are 'hereby extinguished.' The law? Poof! Gone.

"Let's be clear, this is not about the wisdom of the Adams mine proposal. Both supporters and opponents of the project should be disgusted by the sight of Mr McGuinty saying, in effect, that law is whatever he and his Liberal majority feel like today. When a government can simply wave its hand and not only free itself of inconvenient laws, but do so retroactively"—this goes back, and that is very dangerous—"it is effectively above the law. Kings lost their heads for behaving like this.

"Although more and more retroactive legislation is being passed by lazy Canadian governments that don't understand, or don't care, about principles they are damaging, it isn't happening in the field of criminal law. That's because"—as I explained before—"a judge would use the Charter of Rights to knock down a law that criminalized conduct retroactively." In other words, if you tried to create a criminal law going back and said that somebody should have done something and tried to charge that person, the Charter of Rights would throw it out. "But the charter cannot stop governments from retroactively tearing up contracts or otherwise putting themselves above the law because there is no protection for property rights in it. Property rights are enshrined in the Constitution of almost every major Western nation that has a written Constitution and yet they were left out when our charter was drafted."

This is appalling legislation and I don't know how any member of this Legislature can support it, given section 5 of it. If you read any of the authorities with regard to the rule of law, the definition of the rule of law says nothing about the justness of the laws themselves, but simply how the legal system upholds the law. As a consequence of this, a very undemocratic nation or one without respect for human rights can exist with or without the rule of law, but no democracy can function without the rule of law.

I am appalled as well with this piece of legislation with regard to the retroactive treatment of a businessman's or a person's right for full access to the courts for any kind of compensation that they are entitled to for this unilateral decision by this government. I cannot remember seeing the rule of law so blatantly disregarded and disrespected as by Mr McGuinty and his government.

I would have thought that Mr McGuinty, who is a lawyer, as you know, and has been called to the bar, and that Mr Bryant, the Attorney General, would have stood in their places and said, "We may not want to pay the bill. We may not want to pay for the compensation of this individual, but it's a price we must pay in order to uphold the rule of law in our country."

If we can't rely on this government to uphold the rule of law, then we can expect in the future to see this government come back to us, retroactively when dealing with property matters, and say, "We are going to take your property away, but we are not going to compensate you justly for it." That is clearly demonstrated in Bill 49.

It's clearly demonstrated by the debate in this Legislature that this was done for political reasons. There have been no technical reasons put forward by the Minister of

the Environment, the Minister of Natural Resources or anybody else why this decision was reversed. It was done for political purposes. Therefore, if the government is going to use its prerogative, as it can in this Legislature, to bring forward a piece of legislation and ask all its backbenchers, its majority, to carry it, then they must suffer the damages that are associated with that in order to uphold the rule of law.

You must treat everyone the same. Whether you like them or you don't like them, you must allow them access to our courts for their remedies.

**The Deputy Speaker:** Questions and comments?

**Mr Bisson:** Part of what my good friend Mr Sterling—I forget your riding; I wish I knew it—

**Mr Sterling:** Lanark-Carleton.

**Mr Bisson:** —from Lanark-Carleton raises that I'm in agreement with is that I think we all accept there are policies that should be followed when it comes to the issue of reducing overall reliance on the use of landfill sites. But I guess where I've always had a disagreement with the previous administration is on the whole issue of shipping garbage away from Toronto to a site such as the Adams mine. At the end of the day, that creates an out-of-sight, out-of-mind attitude when it comes to dealing with garbage. I always thought that is not a good way of doing things.

This issue has been going on for about 15 years, as my friend well knows. Unfortunately, in the 15 years, we've been on-again/off-again with the Adams mine. I think it was the Peterson government that originally approved the Adams mine as a project. After that, we as New Democrats opposed it and passed legislation to end it. The Tories came to office, reversed that and reopened the project, and now, to the credit of the Liberal government of today, they've brought in legislation that kills the project yet again. My point is that we've had 15 years—

*Interjection.*

**Mr Bisson:** I give you credit for that. But for 15 years we have been sort of frittering around with the politics of this issue and not dealing with the serious issue of reliance on waste disposal sites in Ontario. If we had been able to get into some rational debate 15 years ago, we might be that much closer to finding overall solutions to our problems. Let's hope that today, or whenever we do pass this legislation, we're in a position to put this behind us once and for all and then move forward on trying to find the solutions you talk about.

**Mrs Carol Mitchell (Huron-Bruce):** I too would like to add my support to Bill 49. I would like to say that when the minister made the announcement, it was announcing a waste management strategy. This will begin to make our communities across Ontario clean, safe and livable.

What I would like to do is share an example with you. As many of you know, I come from a municipal background, and just for one second I would like to talk about some of the things we did for waste diversion. Something I was very proud of that our municipality was able to do—as we as members of this House will be

proud of this bill, moving forward—was increase our recycling component. We introduced community composting. That created a 40% reduction in what we sent to our landfills.

I believe that for the future of Ontario and for the betterment of Ontarians, we have to begin our process of a strategy. I concur with my fellow member over here that many years have been lost. It's time, and that time is now. We deserve a better future. We can all drive down every road and we're passed every day by all the trucks that are eating up the roads, moving that garbage back and forth. We now begin to set a new plan in place. In my mind, and in all of our minds, we know this is long overdue.

I am pleased to add my support and my voice to further encourage more waste diversion for the future of Ontario.

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**Mr Barrett:** Our member from Lanark-Carleton made reference to the international reputation of the staff at the Ministry of the Environment. The member would know, as a former minister of the crown, a former environment minister, that it highlights the importance for this government to listen to objective, neutral, science-based information from staff—staff who undoubtedly have been working on this project as long as the proponents, for more than a dozen years.

The member raises the question: Who in their right mind would now come forward to develop any kind of significant landfill operation? Who in Ontario would consider rail haul of non-hazardous, recycled waste to a distant location in the future? Who would come forward? Does it now lie in the hands of the provincial government? We know the Premier has indicated he is looking for new sites. The problem is, we have evidence here of political meddling, a not-in-my-backyard kind of environmental pork-barrelling, if you will, where, with all due respect, several cabinet ministers are looking after their constituents, and whether that meets the bar of a cabinet minister, to consider not only the province overall but other jurisdictions. Certainly the state of Michigan has been mentioned here this afternoon.

The member makes reference to section 5, which eliminates legal recourse. We know that in Ontario we no longer have property rights, and this government is taking advantage of that fact.

**Mr Dave Levac (Brant):** I appreciate the opportunity to speak on this bill, Bill 49, the Adams Mine Lake Act, 2004. The member for Lanark-Carleton has presented us with a case in terms of the legal side. He tells us he's a lawyer, and I respect the fact that he's giving his opinion on the generic parts of the law regarding the concerns he's laid out. I deeply appreciate it. I wouldn't question it.

He tells us, if I'm getting this right, that he's a trained engineer as well. He indicated, with a challenge, that there are no technical reasons to give back about this. Well, there has been information provided on several occasions, and I want to bring a couple of things to his attention.

The first one may be considered political, but I would suggest to him that it was a concern about technicals. When Toronto council decided to accept that negotiation bid, with the understanding that there would be negotiations to come to grips with an agreement, there was support. However, during those discussions, the proponent indicated that they would not accept liability. They wanted the city of Toronto to accept liability if something went wrong after the dumping of the garbage. That tells me that the proponent was a little bit concerned about whether or not it could fulfill what it thought was a foolproof plan.

The second point I would like to bring to his attention is that Dr Howard, the hydrologist who worked on Walkerton, made it quite clear when he was commissioned to do the study of the Adams mine proposal that he could not in his right conscience project anything that could be perfect. He basically indicated that there were deep concerns about the Adams mine project and, as a hydrologist, he could not guarantee that this would be foolproof, and indicated he had concerns about the project. Dr Howard, studying the Walkerton project, also looked at this one and expressed some concerns about it. So I think there was evidence, through Toronto's actions and Dr Howard's response, that there were definitely technical concerns that needed to be raised.

**The Deputy Speaker:** The member for Lanark-Carleton has two minutes to reply.

**Mr Sterling:** I don't want to get into a debate about the technical part of it, but there were peer reviews done of all the technical reports and the consensus was that it was a sound technical thing to do. But that's not the debate I want to focus in on here. I want to focus in on the fact that this government doesn't give a hoot about property rights. They don't care about property rights, because what they're doing here is they are saying to an individual, "You followed the law, but now we are going to change that law retroactively and we're not going to

give you full access to the courts." I don't care whether they like or dislike this particular proponent; this is a terrible abrogation of property rights, a terrible abrogation of the rights of the citizens of Ontario, and Dalton McGuinty should be ashamed.

As it says in the editorial "Dumping the Rule of Law," Ontario's Premier "shouldn't need basic civics lessons, but a bill now before Queen's Park demonstrates that Dalton McGuinty doesn't understand a basic principle of western civilization: the rule of law." I only ask that members—members of the backbench, members of the government of the province of Ontario as it now stands—go to your ministers and say, "Change section 5." Otherwise, any businessman putting forward a proposal, whether it's a landfill site or it's any other kind of regulation dealing with this government, can stand by and look at this and say, "They may change their mind. They may change their mind two or three years from now if the heat comes on politically. And then what they will do is they will retroactively pull the rug and they won't compensate me fairly for my efforts in bringing forward this business proposal." Please do that.

**Hon Gerard Kennedy (Minister of Education):** On a point of order, Mr Speaker: I rise to correct a statement I made earlier in the House. I referred to the participants in the CPRN sessions as volunteers, which in fact they were, but I also said they received nothing in return for their considered advice. They worked eight to 10 hours, they worked through their lunch hour, and they were, as is traditional in these circumstances, given an honorarium of \$100 in respect of their time. I want to make sure the House has full access to accurate information concerning that point made earlier today.

**The Deputy Speaker:** Thank you.

It being 6 of the clock and fast approaching the time when the chant will go out, "Go, Leafs, go," this House is adjourned until 10 am on Thursday, April 29.

*The House adjourned at 1758.*

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Stoney Creek	Mossop, Jennifer F. (L)		

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Nº 40

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 29 April 2004

Jeudi 29 avril 2004



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 29 April 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 29 avril 2004

*The House met at 1000.*

*Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### HEALTH INSURANCE AMENDMENT ACT, 2004

#### LOI DE 2004 MODIFIANT LA LOI SUR L'ASSURANCE-SANTÉ

Mrs Witmer moved second reading of the following bill:

Bill 57, An Act to amend the Health Insurance Act to make various immunizations insured services / Projet de loi 57, Loi modifiant la Loi sur l'assurance-santé afin que diverses immunisations deviennent des services assurés.

**The Deputy Speaker (Mr Bruce Crozier):** Pursuant to standing order 96, the member has 10 minutes.

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I'm extremely pleased and honoured to be able to bring forward this morning my private member's bill, Bill 57, An Act to amend the Health Insurance Act to make various immunizations insured services. This is an issue that is certainly near and dear to my heart, as a former Minister of Health and certainly as a parent and as someone who has met with families who, as a result of this immunization not being available in earlier years, have lost children to disease or children have suffered disabilities as a result of contracting meningitis or chicken pox.

The timing of this bill today is particularly appropriate, although I don't think anybody has given me this time because of that. This is actually National Immunization Awareness Week; it is from April 25 to May 1. So this week gives us all an opportunity to focus on the importance of providing to our children vaccinations for preventable diseases.

This bill in front of us today amends the Health Insurance Act to specifically provide for immunization against chicken pox, pneumococcal and meningococcal disease. It also provides that it would be universally accessible; in other words, covered by the Ontario health insurance plan.

I know this is an issue that is also near and dear to the hearts of the government members. They did make a commitment in their election document to provide

chicken pox and meningitis vaccines to children, so I know that there is support for this bill from all sides of the House. In fact, recently the Minister of Health and Long-Term Care did appear on TV and indicate that certainly immunization was a priority for him, and he promised that he would take action. So today we have an opportunity to provide hope to parents who have lobbied long and hard to make these vaccines universally accessible to their children.

There is one woman in my community, Kathryn Blain, who lost a son to meningitis and who was recently here at Queen's Park with the Meningitis Research Foundation of Canada. She wants a universal meningitis immunization program for two types of bacterial meningitis—pneumococcal and meningococcal—and that is what is included in my bill. She was here and met with all of us, and left here feeling very optimistic that there did seem to be a commitment and that this would be a priority.

I think she and others recognize that we now have vaccines available, and these vaccines, if they had been available earlier, could have saved the life of her son. This is what she says: "I truly hope in my lifetime to see not another family suffer from this disease, and if that happens, it will be worth all the effort myself and my board members have made."

It's important for us, then, to move forward on behalf of families in Ontario. This bill will give us the opportunity to provide chicken pox, pneumococcal and meningococcal vaccines to all children in this province, free of charge and at the behest of families. It will be up to them to make the decision.

I just want to begin by recognizing the importance of immunization with an excerpt from the Canadian Immunization Guide. They say: "Disease prevention with immunization is the most cost-effective health care intervention available. Because immunization inhibits the spread of the disease, entire populations can be protected from the impacts of illness and death from vaccine-preventable diseases. With the exception of clean drinking water, no other human intervention has had the impact of vaccination on reducing infectious disease—not even antibiotics."

That statement speaks volumes to the importance of not only immunization but also the need to ensure that vaccinations are universally accessible to all children.

Presently, these vaccines are universally accessible to children in other parts of the world, such as the United States, and in some Canadian provinces. However, they are not in the province of Ontario. Although they are available, you can only get them if you can afford to pay

for them. But recently, the National Advisory Committee on Immunization, a committee that included Ontario representation, has recommended that all children except those with specific allergies receive these vaccines.

I would like to share with you a little bit about the impact of these diseases and why it's so urgent to move forward. We've certainly heard from Kathryn Blain, but according to the Canadian Paediatric Society, pneumococcus is the leading cause of invasive bacterial infections in young children. In Canada, in children under five, it causes approximately 65 cases of meningitis, 700 cases of bacteremia, 2,200 cases of pneumonia requiring hospitalization and 9,000 cases of pneumonia treated on an outpatient basis. About 15 deaths are attributed to it.

1010

In the case of chicken pox, according to the Canada Communicable Disease Report, volume 30, from February 2004, the medical and societal costs of chicken pox in Canada have been estimated to be \$122.4 million annually. So, again, there is a huge cost, but what is so regrettable is the loss of life and the disability for children if they do contract these diseases.

I believe we in this House have a responsibility to make certain that parents in the future have the opportunity to have their children vaccinated, if that is their choice. This bill would provide coverage by the Ontario health insurance plan; however, it would not be added to the list of diseases in the Immunization of School Pupils Act and would be excluded as well from the Day Nurseries Act. This would give parents the choice as to whether they wished to have their children vaccinated, as is currently the case with hepatitis B. Parents can choose based on the information available then, not based on whether they can afford it, as is, regrettably, presently the case.

This legislation would make these vaccinations an insured service whereby the vaccination would be bought by the government and the government would pay doctors for the administration of the vaccine. Presently that happens differently. Parents must get a prescription from a doctor and purchase the vaccines themselves, bringing them back to the office to receive immunization. I have received this information from the region of Waterloo. They go on to say that this creates inequity, because only a small percentage of parents are getting their children immunized. Part of the reason is that these three new vaccines are expensive for children. According to the region of Waterloo public health, it costs \$700 to \$800 per child to get all three vaccines up to age 18 months. That is why it's so important that we make this available to the children in our province.

Prime Minister Paul Martin in his 2004 federal budget has proposed \$300 million for a national immunization strategy to ensure that children across Canada have equal access to vaccines. Certainly our province is now in the position of having access to the federal funding, and I know that two days ago the Manitoba government announced that they would be providing these three vaccines as part of their childhood immunization program at

no cost to Manitoba families. Surely, our children deserve the same.

I would encourage the House today to recognize the need for our children to have access to these vaccinations that will help reduce the death and serious complications of meningitis and chicken pox.

**Ms Shelley Martel (Nickel Belt):** It's a pleasure for me to participate in the debate today on behalf of New Democrats. I want to say that of course we support the private member's bill that is being brought forward. I appreciate it being brought forward today by the member for Kitchener-Waterloo. I have lots of time for her, and I appreciate the hard work she does. But I'm frustrated today to have to say that had we had some support on this matter from the former government, frankly, we would have been vaccinating for meningitis at least three years ago.

I want to give a little bit of history about how our party has tried to make this a public issue and tried very hard to get the former government to at least move on the vaccination for meningitis. I appreciate this private member's bill includes other vaccinations. I know that's supported by public health units and medical officers of health, and I support it too.

But starting in July 2001, our party first called on the former government to at that time put in place a province-wide vaccination program for meningitis. My colleague Marilyn Churley did a press release on July 19 calling on the Minister of Health at the time, Tony Clement, to move in this regard. We did that because the provinces of Quebec and Alberta had, just at the start of that summer, put in place two programs in their own jurisdictions. In Alberta, in April 2001, they launched a province-wide meningitis immunization program for youth, and in July, Quebec announced free vaccinations for 1.7 million adults and youngsters that were going to start that fall. So we started our call for that vaccination program then.

In September, as school was starting back, we had a press conference here at Queen's Park. Our leader, Howard Hampton, along with Dr Ron Gold, who is an expert in this matter—Dr Gold is professor emeritus of pediatrics at the faculty of medicine at the University of Toronto, the former head of infectious diseases at the Hospital for Sick Children, and medical adviser to the Meningitis Research Foundation of Canada, and we were very pleased that Dr Gold participated with our leader on September 7, 2001, calling on the Conservative government at the time to move forward. He made it very clear from the perspective of his expertise—and he has a lot of expertise—that this was a fundamental issue of protecting both infants and adolescents from a disease that they could be protected from.

Later that fall, the National Advisory Committee on Immunization released a report that very clearly said there were vaccinations available that were safe, starting for infants of two months right through to adolescents. We did a question to the Minister of Health on October 23, 2001, in the wake of the release of that report, asking

him if he was prepared to have Ontario follow the lead of Quebec and Alberta and bring forward a province-wide strategy. We pointed out that Ontario had usually followed any recommendations that had been issued by the national advisory committee, and it was incumbent on Ontario to follow on this particular recommendation with respect to meningitis.

Unfortunately, the response we got at the time was that the government was reviewing the matter but the government really wanted the support and participation and the funding, frankly, of the federal government before they moved forward. I pointed out to the minister in my response that Ontario should show some leadership in this regard. Quebec and Alberta already had. It was a serious public health issue in Ontario because in 2001 eight people died of meningitis and 65 others were seriously affected, and we should agree that it was a serious public health issue and we should move forward even if it meant moving forward on our own.

We followed up on the issue again on January 15, 2002, in an open letter to the then Premier, Mike Harris, and to the then Minister of Health, Tony Clement, again urging them to move forward on this issue. Finally, on February 8, 2002, we got a response back from the Minister of Health. While he talked about the need to do something and his recognition of what the advisory council had to say—that is, that there was a safe vaccine—he pointed out again that Ontario at that point was just reviewing the matter and that no decision had been made.

Well, while there was a review going on, another adolescent died of meningitis in the province of Ontario. This time, 17-year-old Michael Maxwell of Ingersoll, Ontario, contracted meningitis C at the end of March 2002 and died in 29 hours as a result of contracting this terrible disease. His family was not aware there was a vaccination program; his family in fact had a policy of coverage through their union which would have allowed them to have that vaccine paid for through the employer. They didn't know any of this, and this was a terrible tragedy for them. They came to Queen's Park and on April 5 did a press conference with me, just after the death of their son, calling on the provincial government to fully fund this vaccination so that no other Ontario family would suffer the tragedy they had suffered. They were very courageous to do that at that time, and they have continued to pursue this matter by writing federal and provincial politicians. They were in fact featured on W-Five earlier this February talking very publicly about the need to move on this.

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As a consequence of their courage in coming forward, we developed, and I introduced on June 13, 2003, An Act in memory of Michael Maxwell. That would have made a change to Ontario's Health Insurance Act to ensure that there would be a province-wide vaccination program, fully funded by the province, right from two months into the early 20s. That was Bill 107.

Three times I have introduced An Act in memory of Michael Maxwell to try to convince both the former

government and this current government that the right thing to do was to institute a province-wide program so that we could immunize children against meningitis C and protect some of our youngest and most vulnerable Ontarians against this dreadful disease. Three times I've introduced it, and unfortunately my name, in the rotation, has never come up in time to actually debate the bill. So I'm glad the member from Kitchener-Waterloo has an opportunity today and I can make the points I am.

But I want to state very clearly that I think it is regrettable that we could not seem to get the support either from the former government or, frankly, to date from the current government to just unanimously support that bill for second and third reading and put in place a system of immunization that would truly protect some of our youngest and most vulnerable citizens.

The fact of the matter is that it is very cost-prohibitive for parents to pay for some of these vaccinations. When we had our children vaccinated against meningitis C, it cost \$113 per child. If you have a couple of children and you are vaccinating against both meningitis and chicken pox, it becomes very costly. Most insurance plans do not cover the cost of these vaccinations, so parents are put in the very difficult situation of making choices between whether they can afford to do this and what happens if they don't.

The other problem is that there hasn't been a lot of public education about how serious some of these childhood diseases are, so many parents don't even understand how important it is to get this kind of vaccination.

I support the bill today because it is time that we protected some of our youngest and most vulnerable citizens, not just against meningitis C but against the other childhood diseases that the member from Kitchener-Waterloo has noted.

I say again that I regret that we could not get support on this matter, at least with respect to meningitis C, a long time ago, because New Democrats were calling on the former government and the current government, through three private members' bills, to do this as early as July 2001. If we had done it then, Michael Maxwell would be alive today and other young people and adolescents would not be suffering the debilitating consequences of meningitis they are today.

I hope all members support this bill. If the current government is going to do something, maybe they should just pass this bill at second and third reading today and get it done.

**Mr Dave Levac (Brant):** Thank you for the opportunity to speak to Bill 57, introduced by Liz Witmer. I take on face value that this particular bill encompasses more than strictly smallpox, chicken pox and meningitis. I compliment her for the depth to which she has taken a look at this and spread it to many more areas and opportunities.

I want to spend just a moment to talk a little about private members' public business. This is the one place in which all members get to bring those ideas to the House, supposedly without partisan ideas or along party

lines; where we introduce bills that we think would be for the betterment. The member from the NDP has indicated her struggle and fight for bringing her bill forward since 2001. I remind the House that I've got a bill that would save lives as well, and it has taken three attempts.

I understand and respect what the process is about; that is, governments that are elected have their mandate and have directions and decisions on which way they want to go. Private members' business is an attempt to bring those particular issues that may or may not be on the radar screen.

The previous government had eight years and did things they thought were respected and understood to be a priority and did go in that direction. Our government is going to be doing the same thing. We did take action. The member did acknowledge immediately—and I compliment and thank her for that—that we did move on chicken pox and we are moving on meningitis. In terms of the direction we want to go, we agree with the former minister that this is a direction we want to go for the people of Ontario, particularly for our children.

As a former principal in an elementary school system, I was exposed to the health units process that we have in our schools to immunize our students on a regular basis. I'll go back even further than that. I still have that little button—we used to call it the button of our immunizations. For those that have modern needles, we don't have that any more. But we have that little button on our shoulder to remind us of the fact that we did get our shots.

I want to come back to the principle that there are some people out there—and I would say I'm a little concerned about it, but they have the right, because it's written into the law, to remove their child from immunization. I've had to actually talk to parents about that and acknowledge that they do have that right. They signed a paper that said that either for religious or conscientious objector reasons they wanted to remove their children from that process.

More importantly, we do have the science behind this. That's the important thing I'd like to point out. The science is telling us quite clearly that this is a lifesaver. These are lifesavers here, and wherever we can forward the cause of saving children's lives—I will put a pitch in again, one more, it's probably a little shameless, that my anaphylaxis bill is in the general government committee right now. The government has indicated that kids can die in two minutes with anaphylactic shock, and they need to have a standard of behaviour across schools in Ontario.

These are the types of things—and I compliment the member for that as well—that in private members' public business we step forward and say, "These things are not party-bound." We can all do that, and I think we all will do that. We'll say, "This is what we did, this is what you did, and this is what they did." Having said that, once we put it all altogether, we're still headed in the same direction.

I can tell the member that we are going to support the bill and understand the direction she wants to go. She has

admitted—not "admitted"; I don't even want to use that word. She has acknowledged that all people have tried to move this thing forward. Acknowledging that makes this a better place, because we're not speaking for us in here. What we're speaking for are the people out there. The thing I want to keep driving home is that we are representing them; and if we're representing them, we're looking for the areas in which we can take it back and say, "We tried to do our best for the people of Ontario."

Private members' time is the time when we can really get some stuff done that speaks to what people are talking about, not just simply an agenda that we as Liberals, PCs or NDP present, because those ideas are sacred as well. I want to make sure it's clear that when we speak, we speak as a collective voice when we find the issue we can all agree on and move forward. It does take time. That's the one thing in this place, when we talk about private members' business: It does take time.

We know we want to support this. We know the Minister of Health has taken steps immediately. Before the federal budget, Dalton McGuinty had gotten through a commitment that the money would flow. I think it's somewhere around \$300 million that's going to come back to the provinces. We're getting a chunk of that. We've started the meningitis and the chicken pox, and we're going to move forward.

The concept and the ideas presented here by the former minister are well appreciated. Knowing that, we will be moving this forward as quickly as possible.

Thank you for the opportunity. I look forward to supporting the member.

**Mr Ted Arnott (Waterloo-Wellington):** About a month ago, I saw a documentary movie called *The Fog of War*. In this extraordinary movie, Robert McNamara, the former United States Secretary of Defense, talks candidly about his life in public service, the things he worked to achieve, his triumphs and successes, his mistakes and regrets. But his eyes lit up, and he spoke with devotion, when he talked about President Kennedy and the privilege he had enjoyed when he served in the Kennedy administration. It was almost as if he was saying, as the highlight of his career in public service, "I served with John F. Kennedy."

Watching the movie and reflecting upon my own public service in this place, it struck me that when my time in the Legislature is completed, whenever that may be, I will look back; and when people ask me what I did at Queen's Park, I will proudly answer, "I served with Elizabeth Witmer."

To say that I have enormous respect for the member for Kitchener-Waterloo would be an understatement. I've come to know her well over the last 14 years. Her commitment and dedication to the people of her riding and the province have been an inspiration to many of us in our caucus, myself included. She works very, very hard. She's smart and knows how to obtain the results she wants to benefit her constituents.

As a minister in the Conservative government from 1995 to 2003, as Minister of Labour she rebalanced the labour laws and fixed the Workers' Compensation Board.

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As Minister of Health for almost three and a half years—the toughest job in government—she supported health professionals, initiated primary care reform leading to the establishment of family health networks, emphasized wellness and promoted healthy lifestyles, expanded long-term care and home care, and built or rebuilt hospitals across Ontario.

As Minister of the Environment, she brought in groundbreaking legislation to sustain and expand recycling programs.

As Minister of Education and Deputy Premier, she rebuilt bridges with education professionals and supported improved student achievement. She appointed Dr Mordechai Rozanski to review education funding, and she immediately announced almost \$2 billion in new education funding in response to his findings.

This is only a short list of the highlights of her accomplishments, but I had the good fortune to serve as her parliamentary assistant for a period of time and I had the chance to attend some of her public events.

I will relate one story when, as Minister of Education, she visited a high school in Guelph, College Heights Secondary School. It was early on a Monday morning, and we met some of the school board officials, staff, administrators and teachers. After the bell rang and the school day began, we went around and toured some of the classrooms and spent a few minutes with a teacher who was employing a new teaching method to help students who were in high school but couldn't read or were actually reading at a primary school level.

This teacher, without boasting, talked about the incredible improvements some of her students had achieved. Many of them, now reading at their actual grade level, inspired by this caring teacher, were now expressing a realistic desire to pursue careers in the skilled trades. This teacher had dedicated her life to helping students succeed—the ones who were struggling, who needed a hand up, who without the special attention of a special teacher would never, ever reach their full potential.

Elizabeth was very impressed with this teacher, to say the least. Now, in a sense this was just one brief interaction in one school in Guelph. But in a larger sense, what was interesting about this event is that College Heights Secondary School specializes in teaching students who will be going directly to work, the kids we speak of as being “at risk.” These are the students who need dedicated, caring teachers most of all. College Heights is the school where Elizabeth Witmer taught phys ed and English during the 1970's. I remember being struck by the fact that when Elizabeth had been a teacher, her professional career had drawn her to want to help the kids who needed her most—the students at College Heights. She was that kind of teacher, and she's been that kind of MPP.

As such, it's not surprising that as our party's health critic, she would bring forward Bill 57. Bill 57 gives all members of this House a chance to support immunization

against diseases that can severely debilitate or even kill a child.

Earlier this week, I sent a copy of this bill to the public health units that serve my riding of Waterloo-Wellington and asked the medical officers of health for their thoughts on it. I received word back the same day from Dr Troy Herrick, the medical officer of health for Wellington-Dufferin-Guelph. The ideas he put forward are very helpful and they support Bill 57. I want to share some of the insights that he provided.

Putting the issue of immunization in a broader perspective, Dr Herrick advised me of the tremendous effectiveness of public immunization programs in winning previous battles against deadly diseases. Taking the example of the measles, he advised that prior to vaccination, over 300,000 cases occurred annually in Canada, and each year there were 300 to 900 deaths. By 2001, an effective vaccination strategy reduced the annual occurrence from 300,000 down to a scant 33 cases—a greater than 99% reduction in the incidence of measles.

Polio vaccine was introduced in the 1960s. Before the vaccine was available, there were 20,000 cases of this disease annually and parents were absolutely terrified at even the thought or the prospect of the word “polio.” In 2001, there were no cases of polio in Canada, and polio is approaching worldwide eradication as a result of the immunization programs that we've pursued.

From this viewpoint, Dr Herrick has portrayed the effectiveness of immunization in saving lives and preventing serious illness in Canada and points to the need to take further action in Ontario. He has also painted a picture of children in Ontario who have been left behind with respect to immunization for chicken pox, pneumonia and meningitis, diseases that we can help prevent by voting for Bill 57 this morning.

Doctor Herrick informed me as to why these diseases need to be prevented. When we think of chicken pox, many people may assume that it's a rather harmless rite of passage, because almost every child gets it. The reality is that as many as six out of 1,000 children who get chicken pox have to be admitted to a hospital. Chicken pox can lead to infectious diseases that can even cause the flesh-eating disease, and deaths, although infrequent, do occur from chicken pox.

The information also contains a figure measuring the cost of chicken pox at \$122.4 million a year, attributed to personal expenses, lost productivity and the use of the medical system: an incredible figure. Using this example, I think the health unit has demonstrated why an ounce of prevention is worth more than a pound of cure. On meningitis, Dr Herrick advises that it has a significant mortality rate of 20% to 40%, making it one of the most feared when it enters the community. Pneumonia can also be deadly: It leads to the death of an average of 15 children under the age of five each year in Canada.

How have children in Ontario been left behind? Consider this quote from the information I received from Dr Herrick: “Currently Ontario is one of only four jurisdictions in Canada that does not provide a comprehen-

hensive, publicly funded program for all children for at least one of these vaccines. As a result, most parents must arrange for payment for these vaccines either personally, sometimes at prohibitive costs to families, or through their own private insurance."

The cost of the complete set of vaccinations today could run families between \$700 and \$800 dollars. This is clearly unaffordable to thousands of families in the province. Dr Herrick supports this legislation for us this morning by having said the following: "It is believed that bulk purchases of these vaccines under a publicly funded vaccination program, as a result of Bill 57 would significantly reduce the per dose cost of each vaccine, resulting in significant cost savings to the province, perhaps even as high as 25% to 50%."

I'm also very glad to have received information on the same day that I requested it from Dr Liana Nolan, commissioner and medical officer of health for the Waterloo region. Her information also supports full coverage for an immunization program as is outlined by Bill 57. Dr Nolan makes a very strong point in noting that the current system places the onus on parents to go out and buy vaccines at the drugstore and then make another appointment to go back to the doctor who must then in turn administer the shots. I would add that there are thousands of families who simply cannot afford the cost, and if the vaccine is not covered by the province, by Ontario's public system of health care, the parents will question the urgency of the immunization and will be less likely to get it for their children.

Typically, parents maintain an immunization schedule or checklist provided to them by their health unit or doctor for each child. If diseases like meningitis and chicken pox aren't on the list and it's expensive and onerous to get the vaccine, it's far less likely that children are going to get all the shots they need to ensure that they're going to stay healthy. But by passing this bill today with a strong, and I would hope unanimous, vote—I was encouraged by the comments of the Liberal whip—we will help ensure that every parent and child's immunization checklist is full and complete.

**Mr Jeff Leal (Peterborough):** It is indeed a pleasure to take some time this morning in order to support the member for Kitchener-Waterloo on Bill 57. I've always been a great admirer of the member. I had the opportunity over the winter months to travel with her on the general government committee dealing with Bill 31, the health care privacy legislation. It was a real positive education for me to be with the member for Kitchener-Waterloo, based on her great experience and depth of knowledge in the area of provision of health care in Ontario. So she certainly provided a great deal of background for the committee and was very helpful as we worked through the issues surrounding Bill 31.

She does come from a long line of political leaders in Kitchener-Waterloo. During my municipal career, I had the opportunity to meet Herb Epp, who was the former member for Kitchener-Waterloo and who served as mayor of Waterloo for a long time, and before that, of

course, the late Ed Good, who was recognized as an individual who was a leader in municipal policy in Ontario. The member for Kitchener-Waterloo is a worthy inheritor of that mantle from those previous members of that area.

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To get on with the bill that the member has put forward, it's a real opportunity to advance the number of areas we might cover through immunization in Ontario.

Growing up in Peterborough, I remember that at one time all the children on the whole street were suffering from chicken pox. While it was an opportunity to be out of school, indeed it wasn't a very pleasant experience to go through the suffering of chicken pox. It seemed to go right through the whole school community when I was in grades 2 and 3.

But I learned after that, by spending some time with Dr Garry Humphreys, the medical officer of health in the Peterborough area, that many years ago, particularly for males, there was a link between having had chicken pox and the inability to have children down the road. If vaccination had been provided on a widespread basis, many of these things that cropped up later wouldn't be with us in our communities.

It's really the mark of a civil society when we use public policy and public funds to try to eradicate many of these very serious diseases and conditions we face. It's not a partisan issue. It's something we want to move forward on for the good of our communities when we ask our public health insurance, OHIP, to cover these types of activities.

We are pleased, in our platform document, to talk about the need to expand what is covered through a more massive immunization in Ontario to make our citizens much more healthy. If we spend additional dollars up-front in the early stages to provide a wide-ranging immunization program, indeed we know that for sure down the road we'll be able to save our health care system additional dollars. The health care budget in Ontario for the last number of years has increased at an annual rate of some 8% to 10%, which I believe we all recognize is not sustainable over a long period of time.

Private members' time is certainly an opportunity to look at good ideas brought forward by all members of the Legislature. For me as a new member, it's a particularly invigorating time to be here, to hear ideas and concepts from all sides of the House to make Ontario a much better place to live.

For example, with regard to measles, at one time here in Canada over 300,000 cases of measles occurred. When I looked at that number, I found it quite shocking. I didn't realize it was quite that high. When you think that 5% of that population, mostly children, over a period of time have died from measles, it truly is an important issue that we want to move forward.

I thank the member from Kitchener-Waterloo, with her experience in the health care field, for bringing this private member's bill forward this morning. I intend to support it because it's important to the children in my

riding of Peterborough that we provide a great deal of coverage, umbrella coverage, to provide an immunization program for these individuals.

Mr Speaker, I'll be sharing some of my time with the member from Ancaster-Dundas-Flamborough-Aldershot.

**Mr Joseph N. Tascona (Barrie-Simcoe-Brampton):**

I'm very pleased to speak on the bill, An Act to amend the Health Insurance Act and to make various immunizations insured services.

I am the father of a number of children in the school system. The work done by the Simcoe county health unit, in terms of making sure that the public health is protected and that young children are protected—it goes without saying the intent of this bill with respect to childhood immunization is a very important and serious public health issue.

I want to quote from some information I have, an article about immunization.

"Because of vaccines, these diseases are no longer common in Canada. However, it is still important to immunize your child for the following reasons:

"When immunization rates drop, these diseases come back. For example, a drop in... (whooping cough) vaccinations in Britain in 1974 was followed by a whooping cough epidemic that killed 36 people in 1978.

"Diseases do not stop at borders. People can carry vaccine-preventable diseases into Canada and spread them to children who are not vaccinated.

"To protect others. Some people can't have vaccines because of allergies or other reasons. An unvaccinated child with a vaccine-preventable disease is a threat to these people."

We have a role in this Legislature. The former Minister of Health and Long-Term Care has recognized that with this amendment to the Health Insurance Act, which adds, for payment as an insured service, vaccinations for chicken pox, pneumococcal disease and meningococcal disease. It's very important that we act on this as quickly as possible.

It also says in the article:

"Vaccines in Canada are safe, and the benefits of immunization far outweigh the risks. There is no reason to suffer from a disease if there is a safe and effective way to prevent it.

"Many youngsters have some swelling or tenderness at the spot where the vaccine is injected, and some may also develop a mild fever, but these reactions are minor and temporary. Serious side effects such as severe allergic reactions can occur, but are extremely rare, and occur in Canada less often than once per million doses of vaccine.

"On the other hand, the diseases that vaccines fight pose serious threats. Diseases such as polio, diphtheria, measles and whooping cough can lead to paralysis, pneumonia, choking, brain damage, heart problems, and even death in children who are not protected."

This is a very serious issue, an issue that needs to be acted on now. It should not be based on your ability to pay. It should not be a situation where others are put at

risk because of an oversight of the health care system, an oversight which should not exist any more. The member has put forth a bill here that deserves everyone's support, and I'm sure it is going to get it.

**The Deputy Speaker:** Further debate? The member for Ancaster-Dundas-Flamborough-Aldershot.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** Just wait until the name changes, Mr Speaker, to Ancaster-Dundas-Flamborough-West Hamilton. It's going to be even more cumbersome.

As you might expect, Speaker, and as members of the Legislative Assembly who frequent this place would expect, I am up in support of the member from Kitchener-Waterloo's bill. Everybody has had so many nice things to say about the honourable member opposite that one quivers at the thought of what might have happened had a different leadership choice been made on the other side of the House.

Anyhow, as fate would have it, we're in government and the honourable member for Kitchener-Waterloo, with her value base, has made an appropriate intervention here.

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Frankly, that's what we're here to do. We come together every morning, Mr Speaker, and you lead us in prayer. You call for guidance, that we might have a deep and thorough understanding of why it is we're here. I've often thought that the deepest and most thorough understandings that evolve in this place are often in private members' business, because it almost, by definition, allows us to be the people we really are and not those phony political, shrill partisans that we all often tend to be. It's our job to be here, and while we'll work on the other part, for today we'll stand and celebrate together that we do, together, want to try to understand what is in the common good and act in that regard.

It's always toughest being last. I think the 11th beatitude is, "Blessed is the man who, having nothing to say, refrains from giving worthy evidence of the fact." That having been said, let me say that in the recent election and subsequent to that, one of our five core commitments was to try to build the healthiest Ontario possible. There's no doubt in any intelligent person's mind that the way to do that is to embrace things that make sense. Immunization makes sense. You just have to look at what's happened in the past.

For example, as I understand it from some of the research I was able to do, prior to the provision of a measles vaccine, over 300,000 cases of this highly infectious disease occurred in Canada every year and some 15,000 persons, mostly children, died. Since the introduction of a measles vaccine, those deaths have dropped to some 33 cases every year. What more outward and visible evidence do you need than that?

Several speakers have mentioned the provision of federal dollars. In fact, in the call by Roy Romanow to enhance our national immunization strategy, he made reference to the current strategy as being "dated" and "not as well prepared to face new and emerging problems

as is necessary in a country like Canada." He also noted that in some regions of the country, immunization rates have actually deteriorated as a result of public fear.

I think the member opposite from Kitchener-Waterloo, the member from Nickel Belt and some of the members from other ridings who have spoken understand perhaps that good judgment is based on experience, and maybe experience invariably on bad judgment. We need to be moving forward with this together. As my mother would say, "Make mistakes, but at least make new ones." Hopefully we can get this one behind us.

I'm pleased to be in my place today. It's our job to stand in this place and rise to the occasion and the opportunity to make a difference. I have a sign up in my office which says, "If you do nothing else, try to leave this place just a little bit better at the end of the day than you did when you started." That doesn't always happen, but I think when I have the privilege of being in this great people's place, one of 103 people who have the awesome responsibility of coming here and listening to other folk—if anyone had told me last week that we would unanimously pass a resolution to provide insulin pumps for diabetics, I would have chuckled, but that was something we happened to do. The adoption laws that one of the members opposite wants to change and keeps bringing up—I support that. I think at some point we need to have an impassioned debate here. And, Mrs Witmer, I certainly support your bill today.

The final thing I want to say—and the member from Nickel Belt raised it—is about having to make cruel choices. I grew up in a working-class family. Sometimes the only thing we had on the kitchen table at lunchtime was elbows. Parents shouldn't have to make that difficult choice between immunizing and protecting their children and doing one of any number of other really important things. So we need to stand together on this, and I'm pleased to stand in my place today to support the honourable member opposite.

**Ms Laurie Scott (Haliburton-Victoria-Brock):** I too am pleased today to rise in the Legislature in support of Bill 57, a bill brought forward by my colleague from Kitchener-Waterloo, Elizabeth Witmer, to amend the Health Insurance Act by adding three immunizations to the list of insured services. I commend my colleague for recognizing the need for this in the community. We need to cover the costs of vaccination for varicella, pneumococcal disease and meningococcal disease.

At this time, when the government needs to be looking at ways to reduce the overall costs of health care, and ways that these dollars can be spent in a more productive way, they need to be looking not just at treating illnesses but also at ways of preventing illnesses and the associated human-financial costs. When parents decide they wish to provide their children with protections that immunizations provide, they should not be prevented from obtaining the vaccinations just because they cannot afford them. This bill helps parents by giving them the freedom to choose to immunize their children. At the

same time, it will help reduce the financial pressures on the health care system.

We have all heard of many cases—and I certainly have worked with many cases of meningitis—and the potentially serious disease it is, and how quickly it can come upon people. Diagnosis, certainly at times, is difficult. So prevention for meningitis is vitally important to the community.

Many people believe that chicken pox is a relatively benign childhood disease, but I think we've heard a lot of statistics here today that prove differently. Some 350,000 children get chicken pox in Canada every year. Every year children die and thousands have serious complications. The vaccine has been approved in Canada since 1998. It is time that we made it available to all Ontarians, not just those able to afford it.

I stand with my colleagues of the Legislature today to support Bill 57. I hope that the rest of my colleagues support this. It's important to health care in our society to help with the prevention of disease in our province. I stand in support of Bill 57 and encourage other colleagues to support Bill 57.

**The Deputy Speaker:** Further debate? If not, the member for Kitchener-Waterloo has two minutes to reply.

**Mrs Witmer:** I do want to thank my colleagues from Brant, Nickel Belt, Waterloo-Wellington, Peterborough, Barrie-Simcoe-Bradford, Ancaster-Dundas-Flamborough-Aldershot and Haliburton-Victoria-Brock for the unanimous support that I have received for this bill today.

When I was thinking about what I would put forward as a private member's bill, not having done one since before 1995, I thought about this issue, because I can recall as a young girl having experienced a death in my community as a result of meningitis, and the impact that had on the family and friends and on people like myself. Then, of course, I met other people whose lives had been changed because of meningitis and chicken pox, and death and complications as a result of these diseases.

I appreciate the support that I have received. I believe the timing is appropriate, because today in Canada and throughout the world, we have vaccinations that can prevent these diseases. We have a federal government that has indicated that they are stepping up to the plate. We have a government in this province that has indicated that they are supportive. So it is appropriate today, during National Immunization Awareness Week, that we move forward.

I would just like to close by quoting Kathryn Blain. As I said, she is from my community and is the founder of the Meningitis Research Foundation of Canada. She is an individual who lost her son, Michael, tragically to meningitis. She says, and I think she says it all: "No more children should suffer when there are safe and effective vaccines available to protect them." I thank the members of this House for being responsive to the wishes of Ontarians.

1100

SANDY'S LAW  
 (LIQUOR LICENCE AMENDMENT), 2004

LOI SANDY DE 2004  
 (MODIFICATION DE LA LOI  
 SUR LES PERMIS D'ALCOOL)

Mr Parsons moved second reading of the following bill:

Bill 43, An Act to amend the Liquor Licence Act by requiring signage cautioning pregnant women that the consumption of alcohol while pregnant is the cause of Fetal Alcohol Syndrome / Projet de loi 43, Loi modifiant la Loi sur les permis d'alcool en exigeant que soient placées des affiches avertissant les femmes enceintes que la consommation d'alcool pendant la grossesse cause le syndrome d'alcoolisme fœtal.

**The Deputy Speaker (Mr Bruce Crozier):** Pursuant to standing order 96, Mr Parsons has 10 minutes to lead off.

**Mr Ernie Parsons (Prince Edward-Hastings):** I would first like to acknowledge in the members' gallery on this side my wife, Linda, and our children. We have walked a very tough road lately, but we walked it together and I appreciate them being here. I also thank others who have come to support this bill.

On January 29 at 9:35 am the world lost a great person and we lost a son and a brother and part of our hearts. We're left now with an empty chair at the kitchen table and an empty bed and a house full of photographs of a young man who will always be 25. And it was preventable; it was absolutely preventable.

Our son Sandy was born with fetal alcohol syndrome. Not his fault. He had no control over that. His birth mother consumed alcohol during the pregnancy. Not her fault either. She didn't know about that. Twenty-five years ago we didn't understand the impact of alcohol on a child. But we know now, and although we know now, we continue to have children born with fetal alcohol syndrome. We need to get the message to women who are pregnant or who might be pregnant of how much they can change a life by having alcohol during pregnancy.

See, alcohol has a profound effect on a fetus. It slows growth and it alters growth. The primary organ that it slows and affects is the brain. It can also cause physical disabilities.

It is very unfortunate that the most critical time for a woman to drink is on the 20th day of pregnancy when the head and the features are being formed, and women don't know they're pregnant on the 20th day. At that time a fetus weighs about 1.5 grams. Extremely small. When a mother drinks, the alcohol immediately crosses the placenta and enters the child, and the child's system cannot handle alcohol. So I would say to people, we know the effect of three or four beers on an adult. Try to imagine the effect of three or four beers on a 1.5-gram fetus. It is profound.

The growth slowed by the alcohol will never be caught up. The growth stops at birth and the child is the way the child is at that stage. The effect on the child varies depending on how much the mother drinks and at what time she drinks. It can create fetal alcohol syndrome, which is a full-blown problem, or it can create fetal alcohol spectrum disorders, which are lesser problems but still a problem.

Our son was developmentally handicapped, and he knew that and he was terribly, terribly embarrassed about that. He consumed media. He devoured newscasts to try to engage in conversation with the family. In our house it's a pretty good thing if you enjoy talking politics, and he worked so hard to accomplish that.

Children born with fetal alcohol syndrome have a particularly difficult time understanding consequences, understanding that if they do this, that will happen. If they do it and it happens and it's bad, the next time they do it, it's still the first time.

Forty-two per cent of people in federal penitentiaries in Canada have fetal alcohol syndrome. What a waste of money, but even more, what a waste of people, what a waste of talent, what a waste of potential.

We know that fetal alcohol syndrome costs society \$1.5 million per individual over their lifetime; \$1.5 million to provide extra supports for education, health care and adults in group homes. But it's preventable. It is the most common form of mental retardation, and it is absolutely preventable. That's the craziness. We don't need to do research. We don't need to commission scientists to find a cure for fetal alcohol syndrome, because there is none. But we know we can stop it simply by making women informed.

Children with fetal alcohol syndrome can also have other birth defects. Sandy died from a brain aneurysm. We met with the coroner to determine the cause of death. I pray no one in here, in Ontario or the world has to sit down with a coroner and go over the autopsy of a child. The coroner said to me, "The brain is malformed by alcohol," and I said, "Yes." He said, "Well then, naturally the blood vessels within the brain are malformed. The brain is a physical organ and the blood vessels are malformed." My reaction was to go, "Of course. I should have known that." But I'm glad I didn't know that. I'm glad I didn't know there was a ticking time bomb.

We then discovered a brochure that we got about 15 years ago from the Ontario Ministry of Health and, in it, it referred to the effects of alcohol. It stated, "It will cause deformation of the heart, and it will cause deformation of the circulation system." Now, I read that 15 years ago. I'm sure I did, and I'm sure I said, "Thank goodness that doesn't affect us. It has nothing to do with us," and I went by it. But it was there; we knew 15 years ago that it caused these birth defects.

We know that no amount of alcohol is safe. I know everyone here, if I said to you, "What do you think of a pregnant woman using drugs?" your reaction would be, "Never. That's the worst thing she could do." But, folks, alcohol's a drug. We tend not to think of it that way, but

alcohol's a drug and it has effects on the fetus as any other drug would. It may appear not to. There are people who can say, "Well, I know someone who drank during pregnancy and their son or their daughter was fine." But we know it has some effect.

Where it deceives us is, if there was a child who was going to be born and perhaps have an IQ of 170, the fetal alcohol spectrum disorder could lower it to 150. We say, "Well, this is a normal person." But no, there was potential loss. You see, alcohol dehydrates the brain. It takes the moisture out of the brain because it lingers in the body. The body can't deal with it. It's very obvious if someone was going to be born with an IQ of 100 and alcohol causes it to be 70, but we know that any amount of alcohol has some effect.

Sandy's law is very simple. It's not a big stick; it's not an order. It is simply going to require signs in commercial establishments that are licensed to sell liquor: restaurants, LCBO stores and beer stores. It's an educational bill. I truly believe that if you give people the right information, they will do the right thing. I truly believe that.

People in our province are fundamentally good, but I believe too many of them don't know. I also know that at times there is great peer pressure on an individual to drink. This sign, hopefully, will give them some ammunition or will cause others not to put pressure on them to drink.

I've had some wonderful contacts from the brewers' association and the restaurants' association that we can get educational components included in Smart Serve, to inform bartenders as part of their training about the effects of alcohol on pregnant women.

For the very minimal amount of investment we're going to put into this, or that restaurants and stores will, it has tremendous payback. It's difficult not to talk dollars in the one and a half millions, but we really need to focus on how, for virtually no cost, we can change lives. The statistics tell us that about nine out of every 1,000 babies are born with fetal alcohol syndrome. We want to get a message to women who are sexually active and not on birth control of the terrible ramifications for their child if they are pregnant and consume alcohol.

**1110**

**The Deputy Speaker:** Further debate?

**Ms Laurie Scott (Haliburton-Victoria-Brock):** I rise today in support of Bill 43, Sandy's Law, which has been brought forward by my colleague in the Legislature from Prince Edward-Hastings. I want to first extend my formal condolences to the member and his family on the death of their son in January. It's always a tragedy when a young person dies under any circumstances, and the suffering that is involved is truly heart-wrenching. I also want to thank the member and his family. I know that they have big hearts and are well known in the Belleville area for all their kindness in the community toward children with disabilities, so I thank him for that.

This bill, as we know, will amend the Liquor Licence Act to require anyone selling or supplying liquor to

display a sign which warns pregnant women of the dangers of drinking alcohol while pregnant. If a woman drinks while pregnant, it will have an effect on the fetus from mild to very severe.

Let me take a minute to review some of the statistics surrounding this illness. It is estimated that nine out of every 1,000 children born in Canada have fetal alcohol syndrome. It's the leading cause of developmental disabilities among Canadian children. The cost over the lifetime of the child, without taking into account loss of potential opportunity, is \$1.5 million per person. Obviously, FASD is a life-long disability, and it can be prevented with education, support and healing. All women of child-bearing age who use alcohol are at risk of having a child with FASD.

Fetal alcohol syndrome is characterized by abnormal facial features, growth retardation and central nervous system problems. They often suffer damage to their heart and circulatory systems. Affected children may have physical disabilities and problems with learning, memory, attention and problem-solving, as well as social-behavioural difficulties.

One of the five broad goals to help defeat this disorder, according to Health Canada, is to increase public awareness and understanding of FASD and the impact of alcohol use during pregnancy. The member's bill will help a great deal in achieving the first goal, by making young women aware of the risk right where the alcohol consumption takes place.

The instance of fetal alcohol syndrome in Ontario is tragic. Even if this measure can somehow make one young mother aware of the danger involved in drinking alcohol while pregnant, it has been worth the effort. Clearly, women have the important role in prevent FASD. What is equally important, and not as clear to many, is that family, community, governments and society all have a vital role in preventing the root causes of women's use of alcohol during pregnancy. Fetal alcohol syndrome is among a number of early childhood ailments which are preventable in a society, if society chooses to do something about these matters.

I commend the member opposite for his efforts in this particular area, and for his strength in bringing this bill forward in what is a very difficult time for him. I hope that we support this bill in the House and that in some small measure it helps assist in stopping this tragic and most preventable disorder.

**Hon David Ramsay (Minister of Natural Resources):** I'm very honoured to be asked by the proponent of this piece of legislation, the member for Prince Edward-Hastings, who has been a good friend of mine for the last five or six years, to speak today on this issue. I wish this debate was on at 2 o'clock this afternoon, when the focus is on this place a little more, when the gallery is filled with reporters and when the people of Ontario, by and large, focus, as they do, on question period and the issues of the day.

What we're seeing here this morning is probably the Ontario Legislature at its best. We're seeing members

from all sides propose private members' bills that are based on the betterment of the people of Ontario. We've seen that in the first hour today, with the bill in regard to inoculations that was proposed by the Conservative member, and we see and are experiencing it right now with this bill, which comes from the heart of Ernie Parsons because of his personal life experience. In the to-and-fro of politics and the partisanship we see in this place on a daily basis, I don't think the public sees the true motivation that most of us who are here have, and it's probably expressed at its very best on Thursday mornings.

We're very fortunate to have the private members' hour that we do. Compared to other Legislative Assemblies across this country, we're most fortunate to have an opportunity to debate issues that legislators can bring forward and actually have an opportunity to have a vote on and move forward.

Again, I'd like to thank the member for bringing this forward. I certainly understand his motivation. Linda, it's nice to see you again. We all got to know each other very well, because in the last Parliament we were neighbours in the offices here. I've known Ernie's dedication to children. As mentioned earlier, Linda and Ernie have fostered and adopted many children. They have a huge family. As the previous member said, they are renowned throughout eastern Ontario as being a family that reaches out to children and helps that community and those children, and that is a big part of their life. I don't know how they manage it when I look at what they do and the challenges they've taken on.

I would say to Ernie that while we have lived through this tragedy with him, obviously we have not been able to experience it the way he has experienced it; I know it has been a very difficult time. I really applaud him for using this tragedy that happened to better the conditions for other children who are coming along in this society. We know the problems that we have with behaviour in children. As the member has rightly said, we know a great part of this is caused by abuse of alcohol during pregnancy. We know this can be prevented, and anything we can do from here to help educate people about the dangers of the use of alcohol during pregnancy is going to go a long way to improving society in this province.

This is a bill worthy of everybody's support. I know I will be supporting it. I believe everyone will be supporting this. I ask you to do that. We could really move the yardstick a long way by supporting this bill to protect the future children of this province.

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** It certainly is a privilege to be able to support Bill 43, Sandy's Law. When Ernie came to visit me and told me about the bill he was introducing and the reasons behind the bill, I realized immediately that it was a piece of legislation that would give meaning to all that had happened to Sandy, to Ernie and to their family. I can tell you that our caucus has more speakers than we have time. We are extremely anxious to support you and your family. We offer our condolences to you, and we are all going to be supporting this bill.

Fetal alcohol syndrome is a very serious condition. We've heard the impact it has had on Sandy's life and the lives of others, and it certainly deserves our swift support today. We need to take those steps that are so necessary to educate and raise the awareness of women who are expecting, but we also need to make sure that by posting this signage we can raise the awareness of their friends, their spouses and others who can alert them to the consequences of consuming alcohol during pregnancy. The Canadian Paediatric Society has said that FAS has been recognized as one of the leading causes of preventable birth defects and developmental delay in children. Certainly, we must ensure that this message is passed on to expectant mothers who may, in turn, then abstain from alcohol consumption during their term.

I will be supporting this bill, and our caucus will be. I just want you to know, Ernie, I've known for a long time—when I went to Belleville, I heard about the generous and kind hearts that you and your wife had. I learned about the many children you had fostered and adopted. I'll tell you, this House is so much the richer because of kind, caring, compassionate individuals like you, and I just thank the people of your community for having elected you to represent them.

1120

**Ms Marilyn Churley (Toronto-Danforth):** I just want to say to Ernie Parsons and Linda and the family who are here today that we are very sorry about the death of your son, and on behalf of all New Democrats, I bring condolences today.

For all of us who have children, no matter how old they are, whether they're birth children or adopted children, children are our children and we love them unconditionally. As a birth mother who gave a child up for adoption and found him several years ago, and also, of course, having raised my daughter, it is my worst nightmare, as it is every parent's worst nightmare, to lose a child. My heart goes out to you.

Ernie and I talked, and I want to thank him for the letter he wrote to me asking for my support. Of course, we all support the bill today. It's courageous and I expect in some ways difficult to be coming forward with something that's so close to the grief that I'm sure you're still feeling. I thank you for bringing this forward and drawing on what must be and will continue to be a very painful part of your life to do something for the public good.

When somebody dies so young, I guess the best thing we can do after that as parents is to try to draw on that and do something good, to leave a legacy for Sandy that he will not have lived and died in vain. His life meant a great deal to you, and now, as we pass this bill, his life, in a way, will continue on. Even if it just saves a few others over the years from experiencing this syndrome, it will have been worth it.

So I'm here today to say that I support the bill and very much want to see it go through as quickly as possible. Of course, as you pointed out, one of the difficulties is that—and this is new to us—we didn't know that drinking in the very early stages of pregnancy—you

don't know. That is the problem and that is why it is so important to educate women of child-bearing years.

Women have a special place on this earth: We bear children. We carry these children in our bodies and give birth to them. Therefore, we have a particular responsibility as well. So when feminists and women call for equality, we certainly mean equality but we also accept that there are certain differences between men and women, and this is a major one.

I liken it a bit to second-hand smoke. There were days when people smoked and we didn't even know that it caused damage to the smoker. Then it became obvious that it could cause lung cancer and other kinds of illnesses, but we still didn't know it could harm the fetus or that, through second-hand smoke, it could literally kill people who didn't smoke. It has taken a number of years, and it's still an ongoing struggle, to get the message out there that when you smoke, you're not just hurting yourself; you're hurting those around you with the second-hand smoke. This syndrome is the same kind of scenario.

I've got to tell you, Ernie, before you brought this to my attention, I didn't know—and I'm pretty up on these things, as an environmental activist interested in public health—that drinking alcohol in those very early stages of pregnancy could impact so severely on the child. Now knowing that, I want to let as many young women and young men, all of our society, know the impact, should a woman get pregnant without knowing it and be drinking alcohol. For me, that is the most dangerous period, because I think the majority of women and men now recognize, once you know that you're carrying a child, that you shouldn't drink and smoke. Most of the women I know are very, very responsible about that. But the danger is in that period of time when a woman may be pregnant and not know it.

Certainly things are different these days from the days when I became pregnant with my first child. Birth control wasn't so available then. There were a lot of women, more so than today, who got accidentally pregnant. Of course, I'm sure there are many children today as well, many of us in here, who may have started off as accidents. In many cases, it's sometimes very difficult to predict when a pregnancy is going to happen.

That is why it is so critical and so important that we start this education process now. This is a good beginning. Putting signs and notices in bars and LCBO and Beer Stores is critically important. I think that we have to go beyond that over time and find other means and ways through our municipalities and their public health departments, our community health centres, our doctor's offices, every avenue we can find to let people know about the dangers of this syndrome.

I want to commend the member for bringing this forward today. I think there's no doubt that it will pass. I'm not sure; the member will probably want to take it out to committee, so that through regulation, I assume, we can determine the issues around signage and size, make sure that we do the very best we can to make these

signs as visible as possible and discuss as well how we might come up with some other means, some other ways to advertise, educate and let the people of this province know the dangers of drinking alcohol during early pregnancy.

Thank you for bringing this forward today. I look forward to working with you to make sure that this bill, Sandy's Law, becomes a reality.

**Ms Judy Marsales (Hamilton West):** I'm very pleased to support the proposed Bill 43, Sandy's Law, that will make it a requirement that signs be posted where alcohol is sold to make pregnant women aware of the risks that drinking presents to their unborn child.

All of us in this room have varying degrees of understanding of exactly what are the effects of fetal alcohol syndrome. With the assistance of the member from Prince Edward-Hastings, that understanding will be brought into focus for each and every one of us as we reflect on perhaps a family member, friend or associate whose life has been affected, either directly or indirectly, by FAS.

Speaking in support of this bill also allows me an opportunity to highlight the terrific work and research carried on currently at McMaster Children's Hospital, which is being supported this weekend by the McMaster Children's Hospital Telethon being televised on CHTV. We need to help them help babies and moms.

**1130**

Are there more children suffering from learning challenges today or is it the fact that we're just more aware? Because of that, I asked for some information and have received some wonderful assistance from Dr Peter Steer, president of McMaster Children's Hospital.

I asked what fetal alcohol syndrome is. For the information of the House, it's a medical diagnosis that refers to a set of alcohol-related disabilities associated with the use of alcohol during pregnancy. The minimum criteria for diagnosing a child with FAS are prenatal and/or postnatal growth restrictions; central nervous system involvement, such as neurological abnormalities, developmental delays, behavioural dysfunction, learning disabilities or other intellectual impairments; and skull and brain malformations.

Exposure to alcohol before birth can lead to long-term developmental disabilities in the form of either FAS or possibly FAE. Although there are no statistics regarding the extent in Canada currently, it's estimated that one to three children in 1,000 in the industrialized countries will be born today with FAS.

There is no definitive information that can be conveyed to women regarding a safe quantity of alcohol use during pregnancy. Consequently, the prudent choice for women who are or who may become pregnant is to abstain from alcohol.

As a result of the many reports and medical research papers that are available, they've made some recommendations. They recommend, for example:

(1) Prevention efforts should target women before and during their child-bearing years, as well as those who

influence such women, including their partners, their families and their community. All efforts should be made around family-centred and culturally sensitive issues to address pregnant women as well as their partners and family in the context of their community.

(2) Information should be provided to all health care professionals regarding the risks of alcohol use during pregnancy to facilitate early recognition of at-risk drinking and early intervention.

(3) Continuing education programs for health professionals designed to enhance counselling skills that motivate and support lifestyle change for at-risk drinkers should be widely disseminated and evaluated.

(4) Health professionals working with members and leaders of communities must provide consistent information to women and their partners that the prudent choice would be not to drink alcohol during pregnancy.

(5) Health professionals play an essential role in identifying women who drink at levels that pose a risk to the fetus and themselves. Screening methods should be applied to identify women at high risk for heavy alcohol consumption.

(6) Alcohol and drug addiction treatment services should incorporate the needs of women, including transportation and daycare, into their program design. Pregnant women seeking help should be given high priority at alcohol and drug addiction treatment centres.

(7) Health professionals should inform women who consume small amounts of alcohol occasionally during pregnancy that the risk to the fetus in most situations is likely minimal. However, they should also explain that the risk is relative to the amount of alcohol consumed, body type, nutritional health and other lifestyle characteristics specific to the expectant mother.

All of these various papers are available to anyone and I would be happy to give copies of them when and if required.

In summary, the 2001 study entitled *Alcohol-Related Birth Defects: The Past, Present and Future*, written by Kenneth R. Warren PhD and Laurie L. Foudin PhD clearly states, "Women are most likely to say they would lower their alcohol use during pregnancy if they were encouraged," or even so, made more aware of the effects of alcohol on their unborn fetus. The study also goes on to say, "A communications campaign to inform a target audience should have higher public knowledge of [FAS] as one of its goals. Raising awareness of FAS will also contribute to a heightened awareness overall, of the harmful effects of alcohol during pregnancy." All these recommendations come from the wonderful research carried on at McMaster Children's Hospital. Let's help them support and encourage healthy moms and healthy babies.

**Mr Joseph N. Tascona (Barrie-Simcoe-Brampton):** I'm very pleased to join the debate with respect to the private member's bill brought forth by the member from Prince Edward-Hastings. To your family and the families of thousands of other FAS children and adults, I'd like offer my support to assist in reducing the risk of children

being born with abnormalities caused by the consumption of alcohol during pregnancy.

Certainly what the member is trying to do by putting forth Sandy's Law is, as a first step, put forth warning signs to prevent another child from being inflicted with fetal alcohol syndrome. Raising awareness is the purpose.

We've heard from different members in terms of the importance of raising awareness, but signage, as I say, is a first step. Obviously—and maybe the member would like to consider this—liquor servers should be trained with respect to this particular issue. They have an obligation statutorily to serve individuals properly. Also, there should be a statutory obligation on licensed businesses not to serve individuals who would be at risk, because pregnant women, with the consumption of alcohol that would cause fetal alcohol syndrome, would be at risk.

I think the control aspect has to be addressed as a part of dealing with amendments to the Liquor Licence Act. Passing this bill certainly doesn't have to impact at all the changing of the Liquor Licence Act, but regulations could certainly be considered to support and enhance the process with respect to the warning signals and to make sure it doesn't just apply to women who are pregnant and at risk, but also to people who would be serving them and licensed businesses.

It may be a little bit more difficult in terms of gaining access to alcohol, whether it's at the brewers' retail or the liquor store, because on those occasions I think what's important is that all you can do is have warning signs. I think the intent would not only be for licensed liquor establishments but also the brewers' retail and liquor stores, because the signage should be there also with respect to raising awareness.

I offer my support in this matter.

**Mrs Linda Jeffrey (Brampton Centre):** I'm happy to stand in the Legislature today in support of Bill 43, Sandy's Law.

Before I begin I would like to extend my condolences to the member from Prince Edward-Hastings and his family for the premature loss of their beloved son. I would also like to mention that I'm awed by the leadership and passion of the member from Prince Edward-Hastings. I'm not sure many of us in this House could stand up so soon after such a tragic loss and bring leadership to this issue. When something so close hits you like that it's very difficult to be professional and businesslike when your emotions are obviously at a very high level. It takes a lot of courage and a lot of leadership to do that, and it is my pleasure to talk about this issue.

The member from Prince Edward-Hastings once said, "Alcohol killed my son, but he never had a drink in his life." I think that's a very interesting statement. It's one that has such resonance.

1140

I think that every time a pregnant woman drinks, it's as though she's giving a drink to her baby. We've talked today about education. This morning, I feel, is a prevention morning. We've talked about smoking and we've talked about immunization, but prevention is something

that doesn't happen once; it happens over and over and over. We need to talk and educate on a regular basis, because there are young women who five years from now, 10 years from now, need to know about this threat to their child forming inside them, and in the future. It's not only fetal alcohol syndrome that we're talking about, but fetal alcohol effects, effects that happen to the child long after they're born. It is a very serious responsibility that they carry, and they need to know that even prior to becoming pregnant.

Some have suggested that it's okay for expectant mothers to have one or two drinks, that it has no effect. But we all know, and it's been shown through scientific research, that women absorb and metabolize alcohol differently than men.

Fetal alcohol syndrome is the leading cause of mental retardation in our country, and it's totally preventable. Each year in Canada, somewhere between 123 and 740 babies are born with fetal alcohol syndrome, and it's totally preventable. Since 1990, the dietary guidelines for Americans have stated that women who are pregnant, or are planning to become pregnant, should not drink alcohol. That message is not getting through. A national survey found that 58.8% of women between the ages of 15 and 44 drank while pregnant; 65.8% of pregnant women in their first trimester reported using alcohol, while 58.6% of women in their second trimester and 53.9% of women in their third trimester reported alcohol use.

When a pregnant woman drinks, or decides to take a drink, they may be committing their child to learning problems/developmental delays; extremely active, easily distracted, impulsive behaviour; memory problems; some facial feature or other physical differences—their fingers may be different, their ears may be misshapen. Some 95% have mental health problems; 68% will have trouble with the law; 55% will be confined to prison, drug and alcohol treatment centres, mental institutions; 50% of males and 70% of females have alcohol or drug problems; 68% have disrupted school experience; and 52% exhibit inappropriate sexual behaviour.

This is a preventable condition, much like what we learned years ago about neural tube defects. If in the first month after conception you take vitamin B or folic acid, you can prevent neural tube defects. Neural tube defects are brain or spinal cord/backbone malformations.

They're so preventable, so easy to prevent, but so hard to do. To change attitudes in society about alcohol is so important.

FAS is a nation-wide health concern. It doesn't discriminate on the basis of race, socio-economic status or sex. Bill 43, Sandy's Law, would require the posting of signs where alcohol would be served or sold, to make pregnant women aware of the risks that drinking presents to their unborn child. The Parsons family, and families of thousands of other FAS children and adults, need our support in reducing the risk of children being born with abnormalities caused by the consumption of alcohol in pregnancy. I'm pleased to support this bill.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I certainly support MPP Parsons's private member's bill to display signage to caution pregnant women not to drink alcohol during pregnancy. I thank the member for Prince Edward-Hastings for bringing forth what I consider a very timely piece of legislation.

As I indicated to the member, and I will admit, during my 20 years at the Addiction Research Foundation, we did not do enough on this to raise awareness, and I feel we have some catching up to do. I wish to thank my colleagues for giving me some time, because we all take this very seriously.

Michael Piercy is with the Addiction Research Foundation, now known as the Centre for Addiction and Mental Health. He makes a distinction between fetal alcohol syndrome and what he refers to as fetal alcohol spectrum disorder. There is a broader range of problems beyond strictly fetal alcohol syndrome. But very simply, when a pregnant woman drinks alcohol, so does her baby. The more she drinks, the more her baby is at risk. We have heard a listing of the various symptoms: brain damage, of course, and learning disabilities.

The stakes are very high. There is no cure. However, as we know, this is completely preventable. I would submit that the signage advocated in this proposed legislation can be seen as one part of a broader, general education and health promotion approach. Mr Piercy and others in the field recommend a two-pronged approach, including both health promotion and, secondly, support programs for families exposed to fetal alcohol syndrome. A truly effective approach of managing FAS requires a comprehensive and concerted effort not only in prevention but also to care for those who are affected. We've heard mentioned several times alcohol server training programs. Again, I think that would go along very well with a signage program.

MPP Ernie Parsons's signage certainly fits the bill with respect to prevention. I feel we in the House should accept this challenge and take this proposed legislation even further. Again, because the impact of FAS and FASD cannot be reversed, it is extremely important to focus our efforts on prevention. There are a number of very worthy groups that have picked up the challenge and are involved. FASworld Canada is one group that comes to mind. It's a group of parents, of course, professionals, teenagers, volunteers and people who are struggling with birth defects themselves because their mothers drank alcohol during pregnancy. They focus their efforts on one day, September 9. They observe International FAS Awareness Day with a minute of reflection at 9:09 in the morning. In other words, the ninth minute of the ninth day of the ninth month, representing the nine months of human gestation.

The roots of FAS Awareness Day trace back to 1999. I'll quote from something they've put forward: "What if, on the ninth minute of the ninth hour of the ninth day of the ninth month of the year 1999, we asked the world to remember that during the nine months of pregnancy, a woman should not drink alcohol?"

Again, a group of concerned people; it grew initially from about 70 volunteers in eight countries. They kicked this off in 1999 in Auckland, New Zealand. Their minute of reflection involved ringing bells at 9:09 am at Mount Albert Methodist Church. Bells were rung in Adelaide, Australia. In Cape Town, volunteers gathered to hear the war memorial carillon that rang when Nelson Mandela was released from prison. A similar bell-ringing occurred in Italy, Germany, Sweden and, of course, back across the Atlantic, including a very tiny island, Kitkatla, BC, near the Queen Charlottes, where the village bell rang at 9:09 am, followed by prayers by the village elders in their native tongue.

**1150**

In addition to the important signage regulations we're debating today, I would suggest that people across Ontario help further the message and warning of the dangers described this morning with respect to fetal alcohol syndrome by considering being involved in or launching their own campaign. It may well be a bell campaign. It certainly would be a chat with restaurant, bar and tavern owners about the advisability of signage. I consider this FAS bell program very simple. A person could do most of the work on their phone. Most communities have a bell, certainly most older churches have bells, as well as city halls, community and provincial buildings, for example, college or university campuses. Very simply, find out who's in charge of getting that bell rung and ask that the bell be rung for one minute at 9:09 am on September 9.

I might suggest this could be a project for those of us here present. We represent 103 ridings across Ontario. Getting right down to the practicalities of it, many of us could very easily access mailing lists for churches in our communities. If our target was September 9, it would give us an opportunity to communicate with churches perhaps this coming summer, put the bug in their ear and ask if they would be interested in ringing bells at 9:09 on September 9. Again, coupled with signage, plus the server intervention training program, I feel this can go a long way to ameliorate and prevent some of these risks. I submit this is one more way that we can build on MPP Parsons's work with Sandy's Law.

**Ms Monique M. Smith (Nipissing):** So many people on the government side want to speak to this bill that I'll be sharing the last few moments with the member for Huron-Bruce and the Minister of Children and Youth Services.

I just wanted to rise today in support of the member for Prince Edward-Hastings and his bill, Sandy's Law. I think the Minister of Natural Resources said it best when he said, "This morning we see this House at its best." We were sent here to lead, and I think we lead best when we lead with our hearts. We can all take from Mr Parsons's example this morning of leading with his heart. I just wanted to stand and say that I support this bill, and I support Mr Parsons in all that he does and all his good works.

**Mrs Carol Mitchell (Huron-Bruce):** It is my pleasure to rise today to support my fellow legislator Ernie

Parsons and to celebrate the work he does for the children of his family. I can't begin to imagine how big your heart is to bring forward this bill at this time. This is a fitting tribute. It will make a difference. My congratulations and my support.

I will be sharing my time with the member for Hamilton Mountain.

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I echo what everyone in this House has said this morning. I am so privileged to be a colleague of Ernie Parsons and a friend of Ernie's and his lovely wife, Lin. As a friend, my condolences once again, and as a colleague, my thanks as Minister of Children and Youth Services, not only for this bill but for the years of service that you and Lin have given as foster parents to the most vulnerable children in our province. I am proud to support you as a friend, and I am proud to support this bill as a colleague.

**The Deputy Speaker:** Mr Parsons, you have two minutes to reply.

**Mr Parsons:** I want to thank everyone in this House, not just for their support of the bill but for supporting our family during a very difficult time.

Our son faced many challenges that he shouldn't have had to, but he faced them well. We miss him every minute of every day.

Our son loved to help people. We continue to have people come to us with stories of how he cut their lawn or helped them with this or with that, and he never told us because he truly didn't want thanks for it. He got his enjoyment out of helping others.

This bill is an opportunity for Sandy to help once more. He would be so very proud of you; I know I am, of each and every one of you. Sandy cared about others, and you care about others. This bill, if it prevents one more child being born with it, is a good bill. But I think it will do more than that because, and I'll reiterate what I said earlier, I truly believe the people of Ontario are good people who, given the right information, will do the right thing.

Thank you for joining with us to honour the memory of our son, and thank you for doing what you came here to do, which is to help others. You truly are my heroes. Thank you.

#### HEALTH INSURANCE AMENDMENT ACT, 2004

#### LOI DE 2004 MODIFIANT LA LOI SUR L'ASSURANCE-SANTÉ

**The Deputy Speaker (Mr Bruce Crozier):** We'll deal first with ballot item number 15, standing in the name of Mrs Witmer: second reading of Bill 57, An Act to amend the Health Insurance Act to make various immunizations insured services.

Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 96, this will be referred to the committee of the whole.

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I would ask that the bill be referred to the standing committee on justice and social policy.

**The Deputy Speaker:** Shall it be referred to the standing committee on justice and social policy? It shall be referred to that committee.

**SANDY'S LAW  
(LIQUOR LICENCE AMENDMENT), 2004**  
**LOI SANDY DE 2004  
(MODIFICATION DE LA LOI  
SUR LES PERMIS D'ALCOOL)**

**The Deputy Speaker (Mr Bruce Crozier):** We shall now deal with ballot item number 16, standing in the name of Mr Parsons: second reading of Bill 43, An Act to amend the Liquor Licence Act by requiring signage cautioning pregnant women that the consumption of alcohol while pregnant is the cause of Fetal Alcohol Syndrome.

Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1158 to 1203.*

**The Deputy Speaker:** Mr Parsons has moved second reading of Bill 43. All those in favour will please stand.

**Ayes**

Arnett, Ted	Dunlop, Garfield
Barrett, Toby	Flynn, Kevin Daniel
Bartolucci, Rick	Hoy, Pat
Berardinetto, Lorenzo	Hudak, Tim
Bountrogianni, Marie	Jackson, Cameron
Broten, Laurel C.	Jeffrey, Linda
Brown, Michael A.	Kormos, Peter
Bryant, Michael	Kwinter, Monte
Caplan, David	Leal, Jeff
Churley, Marilyn	Levac, Dave
Colle, Mike	Marsales, Judy
Cordiano, Joseph	Martel, Shelly
Craitor, Kim	McGuinty, Dalton
Delaney, Bob	McMeekin, Ted
Dhillon, Vic	McNeely, Phil
Dombrowsky, Leona	Milloy, John
Duguid, Brad	Mitchell, Carol
Duncan, Dwight	Mossop, Jennifer F.

Orazietti, David
Ouellette, Jerry J.
Parsons, Ernie
Patten, Richard
Prue, Michael
Pupatello, Sandra
Qaadi, Shafiq
Ramsay, David
Sandals, Liz
Scott, Laurie
Smith, Monique
Smitherman, George
Takhar, Harinder S.
Tascona, Joseph N.
Watson, Jim
Witmer, Elizabeth
Zimmer, David

**The Deputy Speaker:** All those opposed?

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 53; the nays are 0.

**The Deputy Speaker:** I declare the motion carried.

**Mr Ernie Parsons (Prince Edward-Hastings):** Mr Speaker, I would ask that this bill be referred to the standing committee on regulations and private bills.

**The Deputy Speaker:** Shall it be referred to the regulations and private bills committee? Agreed.

All matters relating to private members' public business having been completed, I do now leave the chair. The House will resume at 1:30 of the clock.

*The House recessed from 1206 to 1330.*

**MEMBERS' STATEMENTS**

**CAYUGA DRAGWAY**

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** Over the years it has had several names, but Canada's oldest drag strip is commonly referred to as Cayuga Dragway. From May 14 to 16, former fans, staff and racers will be in Haldimand county to celebrate the 50th anniversary of the drag strip. The reunion will be a special celebration of drag racing history at Kohler and will include memorabilia, classic dragsters, racers and former NHLR Marty McSorley.

The dragway has a unique history. In 1948, L. Bruce Mehlenbacher purchased the 375-acre parcel of land. It was once a Royal Canadian Air Force landing strip. By 1954, Mr Mehlenbacher had developed the site into one of North America's pioneer drag racing strips. By the 1960s, the strip received both NASCAR and NHRA sanctioning.

I've been going to the drags over the years. I bought a 1941 Dodge coupe in 1963. I've still got it. I admit my coupe is embarrassingly classified as an F gasser. My EA says her Mustang is an FN gas guzzler.

Some of North America's best drag racers have lit up the track in Haldimand county. I invite Ontario to come to this event. In closing, I'd like to congratulate the reunion committee for giving us a chance to talk shop.

**BRANT CITIZENS OF THE YEAR**

**Mr Dave Levac (Brant):** I'm pleased to rise today to share with the House the nominations for citizen of the year in my riding of Brant. This is the ninth year for this event, in which the Brantford Expositor celebrates citizens who make a difference in our community. Every day we hear about people behaving badly, but for this moment, let us focus and refocus our attention on those who inspire and who make a difference, people who make our lives just a little bit better than they were and, indeed, in some cases even save lives.

This year's nominee finalists are an inspirational group who have contributed in a wide variety of ways. Here's a brief look at these wonderful people: Frank Balazs, a retired police officer, has long taken an interest in helping young people find their way in life. Lesley Anthony and Jean Bowen: These health care workers blew the whistle on elder abuse in two retirement homes and have formed a group, Voices Against Elder Abuse. Ron Birkett, inducted into the sports hall of fame, has been involved in the Brantford Classic run, minor sports, United Way, Junior Achievement, Brant Waterways and many, many more. Clarence "CJ" Dick, a full-time volunteer fundraiser for many organizations, has raised hundreds of thousands of dollars for the Heart and Stroke Foundation, SPCA, Sunshine Dream for Kids, Multiple Sclerosis Society, and the list is endless. Nathalie Michalchuk: instrumental in bringing to the community

the Lifeline emergency response system for seniors. She volunteered with the elder abuse board, Sanderson Centre and St Joseph's Hospital Foundation.

It's obvious that we have fantastic people in my riding who indeed deserve this kind of credit. The persons nominated for citizen of the year are inspirational to all of us. I want to thank each and every one of those members, who are representative of all of the wonderful volunteers we have in this riding and in this province.

### WATER QUALITY

**Mr Ernie Hardeman (Oxford):** I've been contacted by the division commissioner of the Girl Guides of Canada in my riding. She, like many others in rural Ontario, has concerns about water regulation 170, and has explained how it will impact the Girl Guide camp they use.

Because of the regulation, the camp has to use a private lab for testing, which was previously done by the board of health for free. They must also ask volunteers to complete a course so they will have qualified water testers. In total, the Oxford division will have to pay \$6,000 over and above the cost of the water treatment system and the engineer's report to use their camp every year. That's a lot of cookies for those little girls to sell.

The commissioner says, "Where we are heading may be non-existence, because we may not be able to afford to cover the financial burden put on us." This regulation has not only become a church tax; I'm afraid it has become a cookie tax.

I urge the government to put this regulation on hold until they are ready to supply funding through recommendation 84 of the O'Connor report.

When the Girl Guides were taught to "be prepared," I'm sure they weren't expecting this.

### SYD VANDERPOOL

**Mr John Milloy (Kitchener Centre):** I'm proud to rise in the House today to congratulate an outstanding resident of Kitchener Centre, the number one ranked super-middleweight boxer in the world, Syd "The Jewel" Vanderpool.

On April 17, Syd won a 12-round decision over Panama's Tito Mendoza in an International Boxing Federation bout. His victory over Mendoza moves him to the number one spot for the vacant IBF super-middleweight title.

Last Saturday afternoon, members of my community gathered to welcome this athlete home and to congratulate him on his victory. I had the pleasure of attending the event and bringing congratulations from the province.

Beyond his contributions to Canadian sport and to boxing worldwide, Syd has distinguished himself as a community leader. When he is not in the ring, he gives generously of his time to make a positive difference in the lives of young people in our area.

In the year 2000, Syd used his unique talents to create something for youth in our community called PRYDE. PRYDE stands for Positive Reinforcement Youth Development Enterprise. It emphasizes achievement through learning strategies based on individual and group activities. A spin-off of PRYDE is Syd's Kids for Camp program, which raises money to send kids from single-parent families to summer camp. This is just one example of Syd's concern for our community and his determination to build championship citizens.

As you can see, we are dealing with an incredible athlete and an extraordinary human being. I know that I speak for all the residents of Kitchener Centre and, indeed, all Ontarians when we express our pride in Syd Vanderpool's success and wish him all the best in his next bout.

### WATER QUALITY

**Ms Shelley Martel (Nickel Belt):** Regulation 170 is causing more difficulties for constituents in Nickel Belt. In 1992, 14 homeowners in Skead were incorporated as a co-op and purchased company homes from the Poupore Lumber Co. The co-op, Skead Heritage Homes Inc, has a private water system which uses surface water to service the homes. The homeowners are subject to regulation 170 and must comply with its requirements by July 1.

They have two options. First, they can stay with the well system and add a filtration process, which will be very expensive, or they can dig a deep well and hope to find enough water to meet the volumes required by the MOE. Their engineer has been given the go-ahead to drill on-site now, to see what volumes of water are actually available.

Frank Kehoe, one of the homeowners, told me that, since 1992, co-op members have already spent thousands and thousands of dollars to upgrade the private well system. They are very concerned about the additional financial costs they'll incur as they try to comply with regulation 170. This is a very legitimate concern.

The Minister of the Environment has said the regulation is flawed and she has asked staff for recommendations for change. The government has two choices: amend the requirements through a new regulation or agree the government will fully fund the cost to upgrade water and treatment systems if the requirements stay the same. But the minister must respond now because many individuals and municipal councils must comply with regulation 170 by July 1, and they're making tough decisions about what to do.

This is a serious issue in rural and northern Ontario. Trailer park tenants risk losing their homes, municipalities risk losing their community centres, faith communities risk losing their churches and homeowners like the ones at the Skead co-op face serious financial challenges as they struggle to comply. They need to know now what the intentions of the government are. I call on the minister to make a positive decision as soon as possible and end this crisis in rural and northern Ontario.

### OSGOODE HALL LAW STUDENTS

**Ms Monique M. Smith (Nipissing):** It gives me great pleasure to announce that students from York University's Osgoode Hall Law School, one of the finest law schools in our province, have won a major international legal competition in Vienna, Austria. It is the first such win by a Canadian team in the 11-year history of the William C. Vis International Arbitration Moot. The competition featured 136 entries from 42 countries, and the team from Osgoode Hall was judged the best—the best in the world.

Seated in the gallery today are the members of the Osgoode Hall team: Christopher Hickey, Fiona Hickman, Jonathan Hood, Gregory Smith, Stephen Vander Stoep and Tala Zarbaf, along with the team's adviser, Janet Walker, the associate dean.

Also with the team today are some distinguished visitors: Dean Patrick Monahan of Osgoode Hall; Professor Janine Benedet, who directs Osgoode's mooting program; and in our public galleries, the family members and supporters of this great team.

The triumph of this team of young people is a tribute to the excellent legal education of Osgoode Hall, and indeed all the law faculties across the province.

I would ask you, Mr Speaker, and the members of this House to please join me in congratulating Osgoode Hall Law School and this remarkable team on their tremendous achievement.

1340

### SOUTH ASIAN COMMUNITY

**Mr Jim Flaherty (Whitby-Ajax):** I'm pleased to announce to this House that for the third year in a row, people of South Asian origin and their friends throughout Ontario are celebrating May as South Asian Heritage Month. Tomorrow marks the launch of the month-long celebrations.

While most people of South Asian descent came to our country directly from Asia, many came to Canada from places such as Uganda, Kenya, Mauritius, Fiji, Trinidad and Tobago, and Guyana.

Over three million people of South Asian descent live in the Americas, and over half a million choose to live, work and raise their families here in Ontario.

Today, South Asians make up approximately 7% of Ontario's population and are proud to draw upon their heritage and traditions, contributing to many aspects of culture, commerce and public service across our province.

South Asian Heritage Month is an opportunity to showcase the accomplishments and successes of the South Asian community. Ontario's South Asian community provides a living social, political and economic link between our province and many countries around the world. It is my hope that we will continue to use this opportunity to enhance our understanding and appreciation of their rich culture, heritage and tradition.

I ask all members of this House to join me in paying tribute to the contributions South Asians have made and continue to make to the great province we all call home: Ontario, Canada.

### COMMUNITY LIVING OAKVILLE

**Mr Kevin Daniel Flynn (Oakville):** I rise today to draw attention to and congratulate community living organizations in all of Ontario, but most specifically community living in my great riding of Oakville.

Living in our community is something that we take for granted, yet this is not something that happens naturally for many people who have an intellectual disability. In fact, in the past, many families found their loved ones placed in institutions.

In Oakville, in the early 1950s, two families started educating their son and daughter at home, and that initiative grew into what we know today as community living. Today, community living is 49 years old.

In the past few years, as a result of a friendship I've developed with a gentleman named Stephen Muir, I've learned a lot more about this wonderful organization. They've taught me that inclusiveness is not about words but about actions. Part of that inclusiveness is learning how provincial government works.

Today, in our public gallery, please join me in welcoming six members of Community Living Oakville, who are here today for a tour of Queen's Park and to see how their provincial government works.

### COMMUNITY USE OF SCHOOLS

**Mr Frank Klees (Oak Ridges):** During my time as Minister of Tourism and Recreation, I encouraged the development of a policy that would restore community access to our schools for sports and recreation after hours and on weekends. I had hoped that it would be in Mr Bradley's announcement yesterday. Unfortunately, it wasn't.

For decades, Ontario taxpayers have paid for the construction of schools that they rightfully would have expected would be available for their children after hours and on weekends, yet our young people are often relegated to the streets and malls to spend their spare time. Money isn't the problem. After all, it should cost taxpayers pennies to let a responsible volunteer coach run a basketball game for a night a week. The buildings and fields are already there and already maintained.

I hope this House will join me in a nonpartisan effort to solve this problem. We just have to say no to red tape. We have to be fair with responsible volunteers, instead of forcing them to pay for custodial supervision that's neither wanted nor necessary. We have to make our school boards see the folly of sky-high fees. Those fees are putting teams and community clubs out of business, ensuring that the school boards won't raise a dime from those organizations that their policies are designed to raise money from.

Let's allow the public to use these public spaces for a great public purpose.

### VISITOR

**The Speaker (Hon Alvin Curling):** We have with us today in the Speaker's gallery the consul general of Pakistan, Mr Ghalib Iqbal. Welcome.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Mr Vic Dhillon (Brampton West-Mississauga):** I beg leave to present a report from the standing committee on general government and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill as amended:

Bill 31, An Act to enact and amend various Acts with respect to the protection of health information / Projet de loi 31, Loi édictant et modifiant diverses lois en ce qui a trait à la protection des renseignements sur la santé.

**The Speaker (Hon Alvin Curling):** Shall the report be received and adopted? Agreed.

The bill is ordered for third reading.

### INTRODUCTION OF BILLS

#### MINISTRY OF CONSUMER AND BUSINESS SERVICES STATUTE LAW AMENDMENT ACT, 2004

#### LOI DE 2004 MODIFIANT DES LOIS EN CE QUI CONCERNE LE MINISTÈRE DES SERVICES AUX CONSOMMATEURS ET AUX ENTREPRISES

Mr Watson moved first reading of the following bill:

Bill 70, An Act to amend various Acts administered by or affecting the Ministry of Consumer and Business Services / Projet de loi 70, Loi modifiant diverses lois appliquées par ou touchant le ministère des Services aux consommateurs et aux entreprises.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Hon Jim Watson (Minister of Consumer and Business Services):** I will make my comments during ministerial statements.

#### OLYMPIC DAY ACT, 2004

#### LOI DE 2004

#### SUR LA JOURNÉE OLYMPIQUE

Mr Fonseca moved first reading of the following bill:

Bill 71, An Act to proclaim Olympic Day / Projet de loi 71, Loi proclamant la Journée olympique.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Peter Fonseca (Mississauga East):** Today we recognize Olympism and its values as an agent of real positive social and cultural change, values of excellence, fun, fairness, human development, leadership, peace, respect. By adhering to these values, we will achieve our greatest passion: greatness. Through our actions and by working together, we make others aware and understanding of what we represent and of ourselves. This is greatness.

### SENATORIAL SELECTION ACT, 2004

#### LOI DE 2004 SUR LE CHOIX DES SÉNATEURS

Mr Runciman moved first reading of the following bill:

Bill 72, An Act to provide for the election in Ontario of nominees for appointment to the Senate of Canada / Projet de loi 72, Loi prévoyant l'élection en Ontario de candidats à des nominations au Sénat du Canada.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

1350

**Mr Robert W. Runciman (Leeds-Grenville):** This bill is modelled on a bill passed by the Alberta Legislature in 1988. Given the priority both Prime Minister Martin and Premier McGuinty have placed on the need for democratic reform, this seems the ideal time to put forward an initiative that could ultimately give regions of this country stronger representation in Ottawa without the requirement for constitutional amendments. Adoption of this initiative by the country's most populated province could open the floodgates to real Senate reform and send all the right messages to parts of the country that now feel alienated from the central government.

**Mr Peter Fonseca (Mississauga East):** On a point of order, Mr Speaker: In honour of the introduction of the Olympic Day Act, 2004, I would ask for unanimous consent that the members can wear the official Canadian Olympic Committee pin.

**The Speaker:** I hear a request for unanimous consent to wear the pin. Agreed? Agreed.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I appreciate the member's search for unanimous consent and his having provided us with pins. Perhaps he could undertake to make sure the pages get one too.

### MOTIONS

#### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I believe I have unanimous

consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent for the House leader to put forward private members' public business? Agreed.

**Hon Mr Duncan:** I move that, notwithstanding standing order 96(g), notice for ballot item 20 be waived.

**The Speaker:** Is it agreed? Agreed.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### CONSUMER PROTECTION

### PROTECTION DU CONSOMMATEUR

**Hon Jim Watson (Minister of Consumer and Business Services):** It's my pleasure to speak to this proposed legislation. This bill is an example of good government at work—a step toward the McGuinty government's vision of a better Ontario. It's a special pleasure for me to speak about this bill, as this is the first piece of proposed legislation I have been honoured to introduce since being elected in October.

This bill contains more than 80 proposals for changes to 24 of the 66 statutes administered by the Ministry of Consumer and Business Services. I am pleased to bring forward proposals for change to expedite into law improved consumer protection legislation and enhanced public safety in the electrical sector. The legislative amendments in this bill and the significant amounts of complex and technical detail reflected in them, can only have been developed with the support and hard work of the many ministry stakeholders and the public servants at the consumer and business services ministry.

Je veux profiter de cette occasion pour exprimer mon appréciation à un certain nombre de personnes clés pour leurs efforts bien spéciaux relativement à l'élaboration de ce projet de loi: Robert Stelzer, le président et CEO de l'Electrical Safety Authority; Peter Marcucci, Lucy Impera et Dane MacCarthy pour leur guidance et leur soutien; Eryl Roberts, Dave Mason et Norm Purdy de la association des entrepreneurs électriques—Mr Purdy, qui est avec nous aujourd'hui, me dit qu'il a été travailler sur ce pour 40 ans; son temps et son travail ont été—Glenn Carr, un entrepreneur électrique et président de l'Electrical Contractors Registration Agency; Garry Enright et Richard Cullis de la Ontario Electrical League; et John Pender, secrétaire exécutif et trésorier de la International Brotherhood of Electrical Workers.

I'd also like to recognize the work of Michael Pepper, registrar et CEO de la Travel Industry Council of Ontario, pour ses contributions au développement de la nouvelle loi sur le tourisme, et son soutien exceptionnel au processus de réglementation. De plus, Tracey McKiernan, la présidente de la Ontario Motor Vehicle Industry Council, et Tom Wright, président et CEO de la Real Estate Council of Ontario, et Ken Hajas, le président de RECO, qui ont tous été de grands contributeurs au succès de cette loi.

Vehicle Industry Council, and Tom Wright, president and CEO of the Real Estate Council of Ontario, and Ken Hajas, the chair of RECO, who have been of great service to our ministry. I'd also like to thank long-time consumer advocate Joan Huzar and all of the members of the Consumers Council of Canada, especially executive director Michael Lio and Whipple Steinkrauss, for their input on consumer protection measures. A number of these individuals are with me in the gallery, and I thank them very much for being here.

The proposals in this bill would strengthen confidence in the marketplace and promote growth and prosperity. I'm proud of the work that this government has done to protect consumers. Since taking office just six months ago, we've spent much of our time helping to educate millions of Ontario consumers about their rights and responsibilities in the marketplace.

Avec l'aide de nombreux partenaires, nous avons distribué cette année des calendriers anti-fraude à 140 000 consommateurs.

Just this week, the Canadian Public Relations Society awarded the top award in the public sector category to the Ministry of Consumer and Business Services for the calendar. My congratulations to Donna Holmes and Gerald Crowell and their team at MCBS.

We've been involved in a number of other major outreach initiatives. We launched our identity theft campaign, a large project that involves financial institutions and law enforcement agencies. The results have been exemplary.

Une nouvelle publication traitant du vol d'identité a été remise à plus de 100 000 consommateurs. Consumers who are victims of identity theft can now use a new online statement to send the information that creditors need to jump-start action on their cases.

But our work does not stop there.

The government's commitment to positive change is reflected in pushing forward with work on the regulations to the new consumer protection legislation so that the new law can be brought into force as early as possible without sacrificing attention to detail. The government wants to proclaim Ontario's new Consumer Protection Act as soon as the regulations can be completed and approved. With the regulations in hand, this broad-reaching legislation would make Ontario a national leader in consumer protection.

The new Consumer Protection Act received unanimous support in this assembly when it came forward as part of an umbrella package of legislation. We should recognize the work of the former government and all of the honourable members during the 37th Parliament. I want to particularly point out, for his leadership and work with this, the honourable member for Erie-Lincoln for a job well done. I also want to thank my colleague the honourable member for Essex, who was our party's critic and was very supportive of the legislation.

We do not want Ontario consumers to wait for a stronger marketplace. The regulations under development for this legislation are intended to be highly responsive to

the needs and wants of consumers and businesses in the 21st century. If this new legislation comes into force, it will provide many advantages for consumers. The new consumer protection legislation would increase protections for services sold on-line through the Internet, or traditional services such as lawn care. It would also cover leases, which is good news for those who lease cars or computers.

Car owners would also have another advantage, particularly when they deal with repair shops. Let me offer a tangible example of a consumer whom the ministry would have been able to help had the new consumer protection legislation been in force. Last year, a Scarborough-area consumer took his car to a repair shop for a complete engine rebuild. He wanted only new parts to be used, and that was confirmed in writing on the estimate. Eight months later he took the vehicle to another repair shop when his car started having engine trouble. He found out that used parts had been installed and that they were in poor condition. The ministry was unable to charge the repair shop under the Motor Vehicle Repair Act because the six-month limitation period had run out. Even if the repairer had been successfully charged, the consumer would have received no restitution, because under the existing legislation it could not have been ordered in court. If the new Consumer Protection Act were in force, consumer problems would be resolved for up to two years from the date of the occurrence and courts could order restitution.

#### **1400**

Les intervenants du ministère qui sont spécialistes de la gestion du secteur des véhicules automobiles applaudissent ces amendements proposés dans ce projet de loi, car ils aideraient à renforcer plus rapidement la protection du consommateur.

Carl Compton, executive director and registrar of the Ontario Motor Vehicle Industry Council, which regulates motor vehicle dealers on behalf of the ministry, says, "These changes go a long way toward building consumer confidence by working to implement much-needed consumer protection measures, while not unduly hampering legitimate businesses."

Many consumers have complained about the practice of negative-option billing. This occurs when a business bills for goods or services without the consent of the consumer. If the new consumer protection legislation were in force, consumers would not be liable for any goods or services that they did not request or agree to pay for. If consumers were charged for unsolicited goods and services, for example, through automatic debits from their bank accounts, they would be entitled to demand full refunds, and the suppliers would be required to provide those refunds.

Here's an example of how a ban on negative-option billing could help a consumer: A Mississauga-area consumer paid for lawn care services for one season. The final bill indicated in the small print that the company would continue their services the next year unless she cancelled the contract in writing by a certain date in the

middle of winter. The next spring, the consumer received and was charged for services she did not want. She was responsible for paying the bill. The new consumer protection legislation would prohibit this business practice.

These new consumer protection measures are important for consumers and they require teeth to make them effective. That's why, under the new Consumer Protection Act, our enforcement powers would be strengthened and made consistent across the board. Maximum fines for contravening consumer law would increase to \$50,000 for individuals and \$250,000 for corporations. Maximum sentencing for individuals would be two years less a day. Without the proposed amendments before you, these important consumer protection measures and many others may face unnecessary delay. This is because the bill would allow for proclamation of the new consumer protection legislation independent of other pieces of unproclaimed consumer protection legislation to govern motor vehicle dealers, real estate sales and travel sector professionals.

Actuellement, même si les règlements proposés pour chacun de ces secteurs se trouvent à des stades de développement différents, ils doivent être tous approuvés en même temps avant que la Loi de 2002 sur la protection du consommateur ne puisse être proclamée en vigueur.

This bill would also enable improvements in public safety, allowing the government to close significant gaps in the current licensing system for the electrical sector. Proposed amendments to the Electricity Act would enable the government to develop a province-wide licensing system for contractors and compulsory electrical trades. These same amendments will support Ontario businesses by allowing them to take jobs anywhere in the province with a single licence. Currently in the province of Ontario, electrical licensing is a patch-work quilt of rules and requirements. Presently, five different organizations share some part of the responsibility for licensing the 4,500 electrical contractors and 50,000 electricians in Ontario. Licensing standards vary greatly from one town to the next. Approximately 70 municipalities license contractors based on unique local standards, and some do not license contractors at all.

The Electrical Safety Authority, the ESA, as it's commonly known, is mandated by the Ministry of Consumer and Business Services to enforce a level of public electrical safety across Ontario that will keep the people of this province safe. Ontario's electrical safety record is very good. The rate of electrical fatalities and injuries and their cost, both in human terms and in financial terms, to taxpayers continues to decline. However, continued improvement is necessary in today's quickly evolving marketplace.

Following the adoption of this bill, the Electrical Safety Authority would provide a uniform provincial licensing system and would license electrical contractors, master electricians and electricians. Part of the plan, if proposed amendments are brought into force, is for the ESA to establish a toll-free line that consumers can call

to check whether a contractor anywhere in Ontario is licensed.

The proposal has the support of the industry, Glenn Carr, chair of the Electrical Contractors Registration Agency, whom I spoke with this morning, considers this "a tremendous step forward." I also want to thank the International Brotherhood of Electrical Workers for their support of this initiative.

Mike Floto, co-owner of a Guelph electrical company and a member of the Electrical Contractors Association of Ontario, sent letters to a number of MPPs supporting the proposal for province-wide licensing. He writes: "We strongly support legislation enabling a uniform system of contract licensing.... We believe this proposal will improve public electrical safety and consumer protection. It will allow greater labour mobility, reducing the cost of our services to the consumer."

Full licensing is something that could not happen overnight. The government believes that now is the time to start on this ambitious public safety program. The program also responds to the 2003 Provincial Auditor's report that recommended a consistent provincial standard for ongoing training and licensing of electricians.

#### *Interjections.*

**Hon Mr Watson:** I know people are on pins and needles wanting to hear this next section.

Among small businesses that will benefit from the legislation are travel agencies. We all have travel agencies in our ridings, and we know the challenges facing the travel agency industry since September 11.

Under current consumer protection law, travel agencies in Ontario face circumstances that are unique in Canada. I want to ensure that members of this assembly fully understand the unfairness of the travel agents' current situation.

Travel agents and wholesalers pay into the provincial travel industry compensation fund. The fund protects consumers' money if the travel agency, airline or cruise line cannot deliver its services. Even though the travel agency has already fulfilled its obligation by remitting consumers' funds to the end supplier, if the service is not delivered the consumer can come back to the travel agency for reimbursement. No other province imposes such a liability on the travel industry. Under this bill, Ontario would end this practice and adopt an approach more consistent with other jurisdictions.

There are a number of other measures—I won't go into detail—that deal with the Theatres Act, the film industry and consumer protection legislation, but I know, given the sense and mood in this House, there is going to be unanimous consent for this bill.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: Standing order 35 should be read and heeded by ministers during the course of ministerial statements, not ignored and treated with disdain. We have enough disregard for the rules here as it is without this minister showing disregard for standing order 35.

**The Speaker (Hon Alvin Curling):** I don't think that is a point of order.

#### FOREST INDUSTRY

##### **Hon David Ramsay (Minister of Natural Resources):**

Before I start my statement today, I would like to inform the House that the NAFTA trade dispute panel in Washington has ruled in Canada's favour.

I'm pleased to rise in my place today to let the members know what the government is doing to make Ontario's forest products more marketable and to promote a strong and prosperous economy. I'm referring to our recent actions on independent third-party forest certification.

Earlier this month, at a conference in Vancouver, I announced this initiative of the McGuinty government to require that all sustainable forest licence holders be certified to an acceptable performance standard by the end of the year 2007.

What we hope to achieve by this action is to help ensure that Ontario's forest industry is given preference in export markets and to contribute to a more innovative and thriving economy.

What is certification? It involves the independent third-party assessment of a forest area against established criteria and standards of sustainable forest management. In layman's terms, it means that a reputable and legitimate outside group states officially that we are managing our forests sustainably and offers its stamp of approval.

#### 1410

There are a number of certification regimes that are nationally and internationally recognized. They are sponsored by groups such as the Forest Stewardship Council, the Canadian Standards Association and the American Forest and Paper Association. The International Organization for Standardization also has a regime. A number of Ontario forest companies have already obtained registration under these various regimes. As a ministry, we have worked, and will continue to work, co-operatively with certification systems applicable to Ontario, with a view to pursuing greater efficiencies between their systems and our regulatory framework.

Some members may be asking themselves, "Why is this important?" We are finding that an increasing number of companies in North America, including major publishers and building supply outlets, are adopting procurement policies for forest products that come from operators who meet these certification standards. Ministry staff have been in touch with all sustainable forest licence holders in the province, as well as the Algonquin Forestry Authority. In addition, consultation is underway with our two major forest industry associations in the province.

I recognize that certain sustainable forest licences made up of smaller companies or those with lower harvest volumes may be apprehensive about the impact on them. I can assure the members of the House that we will work with these companies to listen to their concerns in finalizing this approach. I am encouraged, however, that some of these licence holders have already obtained certification. The goal of all of these discussions, which

will be ongoing, is to address any potential concerns and to make sure that the work going forward can be achieved.

Ontario is a world leader in forest certification. Right now, we already have about eight million hectares that are third-party-certified. I'd like to point out that this total includes the largest area of certified Forest Stewardship Council standards of any jurisdiction in North America. In fact, 24% of the crown land that could be certified is already certified in this province.

Ontario's forest industry has made a considerable effort with regard to certification. This success demonstrates two things: the industry's commitment to sustainable forest management in the province and the strength of Ontario's existing requirements.

I am proud of the very rigorous regulatory framework that Ontario has in place for sustainable forest management. It positions our forest industry well to satisfy any legitimate certification regime.

The reason we are moving to this mandatory certification, even though we have this regime in place, is to accelerate this voluntary progress. These third party systems play an invaluable role in independently verifying and communicating to the public that our framework is working.

I have a vision of Ontario as a model jurisdiction in forest certification and an example to the world, and I believe this move puts us well on that way.

### CONSUMER PROTECTION

**Mr Robert W. Runciman (Leeds-Grenville):** I appreciate the minister's comments and applaud him for finally tabling legislation in the House after well over six months on the job; six months which have been mostly spent blaming the previous government for the failings of his own office on the birth certificate issue.

This first piece of legislation is essentially, as the minister acknowledged, the result of the good work of the minister's predecessor, Mr Tim Hudak, the member for Erie-Lincoln. Sadly, this is typical of this Liberal government, where the few good things done in the past six months have largely been announcements of the good work carried out by the previous government or reannouncements of the good work done by the Conservative government, including funding for judicial appointments, the auto sector and the TTC. In fact, the bulk of business that has flowed from the McGuinty government has been a series of broken promises—20 to date—and an embarrassing charade disguised as a public consultation to justify the continued breaking of promises.

Perhaps the most significant promise to be broken as a result of this exercise is Mr McGuinty's pledge not to increase our taxes. This is a government that in approximately three weeks from now will table its first budget, and all signs point to a budget that breaks the Taxpayer Protection Act and the pledge Mr McGuinty made during last year's provincial election, "I will not increase your taxes"; shades of Richard Nixon, "I am not a crook."

To add insult to injury, the budget will be tabled by a Minister of Finance under a cloud, who has had many of his powers stripped away from him due to the fact that he was a director and audit chair for a company now under investigation by the RCMP, the securities commission and by Revenue Canada, that same man—Mr Sorbara, the Minister of Finance, the member for Vaughan, who hid from his Premier for 66 days the fact that this company, Royal Group Technologies, was under investigation.

Contrast the Minister of Finance's role as audit chair with that of Mr John Cleghorn, the audit chair of Nortel, who in today's media is described as "a terrier" who "will get to the bottom of things."

If any of those investigations related to Royal Group Technologies result in the laying of charges or findings of fault that might be laid at the doorstep of the board of directors, I ask you and the members of the governing Liberal Party, what impact does that have on the upcoming budget? What impact does that have on the bond markets, on the confidence of investors? What impact, short- and long-term, does that have on the well-being of Ontario's economy?

This government is failing the people of Ontario. It is seriously, if not irreparably, damaging the trust Ontario voters placed in it just six short months ago.

I want to assure you and the hard-working taxpayers of our great province that the Conservative Party of Ontario is strong, it's healthy, and we will continue to fight the good fight for each and every person in Ontario.

In conclusion, we will support the Ministry of Consumer and Business Services Statue Law Amendment Act, 2004, a good piece of legislation developed by the former Conservative government.

### FOREST INDUSTRY

**Mr Jerry J. Ouellette (Oshawa):** I rise to respond to the statement of the Minister of Natural Resources. However, it appears to be somewhat of a love, trust and pixie dust statement. You see, this is forest certification that, as the minister mentioned, was in place and has been going on for an extended period of time already. The criteria for the certification were published through the State of the Forest Report in 2001 and 2002. We could go over the details if we had the time.

Also, in April 2003, the Gordon Cosens Forest—mind you, in 2001 the Gordon Cosens Forest was certainly an issue of protest by other parties in this House—was certified as the largest FSC-certified in the entire world, and it was proud to have it happen in the province of Ontario.

What did Monte Hummel of the World Wildlife Fund say about Ontario's forest accord, something the previous government brought in? That this province has made an unprecedented contribution to conservation on a global scale.

Not only that, if the minister really wants to do something, he should ensure the criteria committee continues

on the process to ensure consistency of the criteria with each of the districts throughout the province.

**Mr Howard Hampton (Kenora-Rainy River):** I want to respond to the Minister of Natural Resources. The Minister of Natural Resources tries to make it sound as if forest certification is something that's just happening under the Liberals. He fails to mention that the Crown Forest Sustainability Act was put in place in 1994; that the forest renewal trust fund, which is very much part of the certification process, was put in place in 1994; that the forestry futures fund was put in place in 1994; and that the certification process has been ongoing since then. If you want to take credit for this, acknowledge, would you, that other ministers have in fact put in place the whole process here.

But I want to offer you some advice in terms of certification going forward. If you think you can continue to have massive clear-cuts, clear-cuts half the size of the city of Toronto, and still receive forest certification, I would say to you that there is a nasty surprise waiting for you. Those clear-cuts are already too large. They're affecting fish and wildlife, as well as the basic integrity of the land.

Secondly, you know about the protest at Grassy Narrows, where First Nations are saying that you cannot come in and clear-cut all around their reserve, leaving them no opportunity to hunt, no opportunity to trap, no opportunity to fish. If you want to have ongoing certification, that must be addressed as well.

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Finally, there is the boreal forest initiative, where I know Ministry of Natural Resources people have been beavering away in the backroom planning the next stage of forestry north of the 51st parallel. But there's something missing in this process. The First Nations who live north of the 51st parallel want the Ontario government to sign a comprehensive agreement, setting out protection of the land, setting out who will set the environmental rules, setting out what the forestry guidelines will be and setting out that First Nations will actually receive some economic and social benefit when forestry activities move north of the 51st parallel. Sadly, only one First Nation, Pikangikum, has been able to do anything; other First Nations have been brushed aside.

I would say to you, Minister, that if you want to have future success in terms of the certification of our forests, sit down with the First Nations of the far north and develop a comprehensive agreement that ensures they will have some control over what happens on their land, that they will receive the economic and social benefits and that there will be environmental integrity. That's the way to future forest certification.

#### CONSUMER PROTECTION

**Mr Peter Kormos (Niagara Centre):** New Democrats were hoping that the Minister of Consumer and Business Services had been spending sufficient time addressing the ongoing critical problem around the pro-

tection of birth and death certificates to make an announcement today about an investment in the office of the registrar general, and destroying the huge backlogs that are causing grief to folks across this province, and causing our constituency office staff to spend an inordinate amount of time tracking down birth certificates that are not just days, but weeks and weeks, overdue.

Even when our constituents are hit by this minister for the speedy service fee, which amounts to the biggest scam in town—you would think perhaps consumer protection might be at the forefront of his mind, when it comes to restoring or returning the charges that he gives to our constituents—when people pay for speedy service, “speedy service” means weeks or months at the end of the day.

The other concern that New Democrats have, and this government and this minister have been silent about, is that here we are in the spring of 2004, and families across this province are planning summer vacations, including purchasing airline tickets from Air Canada. We dearly want to hear from this government about its plans to protect those consumers, to the tune of literally millions of dollars, in the event that the best efforts of all the parties involved aren't successful and Air Canada, indeed, becomes insolvent and creditors start taking action to the point where Air Canada is grounded.

This minister responsible for the protection of tourists in the province has done nothing whatsoever to educate tourists about their exposure. This minister has done nothing whatsoever to deal with establishing adequate funding in the guarantee fund for consumers of tourist products. This minister has done absolutely nothing to prepare a contingency plan for the thousands of Ontarians who will be stranded, some with tragic consequences, in the event of the bankruptcy—the completion of the bankruptcy—of Air Canada. For this minister and this government to fail to respond to that is the grossest of negligence.

#### MEMBER'S BIRTHDAY

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: I believe all members will want to join me in congratulating the Minister of the Environment on her 39th birthday today.

#### CANADIAN WOMEN'S HOCKEY TEAM

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: I believe we have unanimous consent for each party to speak for up to five minutes to honour the Canadian women's hockey team, representatives of whom are in attendance today.

**The Speaker (Hon Alvin Curling):** Is it agreed that we have unanimous consent for five minutes? Agreed.

**Hon Gerry Phillips (Chair of the Management Board of Cabinet):** I would like to acknowledge some

special guests in the gallery today. I'm honoured to introduce members of the Canadian women's hockey team. Please welcome the head coach, Karen Hughes; the coach, Ken Dufton; and Therese Brisson and Jennifer Botterill, who represent the players. If they would stand.

As you know, these amazing team players won the gold medal at the world championship in Halifax earlier this month. Their convincing 2-0 win over the United States brought hockey glory to all Canadians. It was a thrilling victory for the team and instilled pride in all of us. By the way, this was the eighth consecutive time this team has won the world championship. Plus, who can forget their victory in the Olympics just a couple of years ago?

I want to say how proud we are of the hard work and dedication the team members have. We can only imagine how much effort they put into it. I understand that at least two hours every day of the year these players are working out and staying in shape. It takes an amazing amount of perseverance to do that.

Just on a personal note, I really began taking an interest in girls' hockey 25 years ago. I coached hockey for 30 years. About 25 years ago, my wife was running a hockey tournament. It was all-star seven-year-old boys, but there was one girl in it. There were eight teams and they played the tournament. They picked the most valuable player and it was Vicky Sunohara, who is still on the team and an assistant captain. It was the beginning of the recognition of how talented young girls are at hockey when this individual was the best hockey player on eight teams, all the rest boys. So that piqued my interest. By the way, I've followed Vicky ever since. She happens to live in the area I represent as well.

I also want to pay particular tribute to the head coach, Karen Hughes. She also is a 14-year member of the Ontario public service. She works at Management Board. I happen to see her in her professional role probably once a week—very professional, I might add. The most amazing thing to me was, the team won the game late on a Tuesday night. Thursday morning at 8 o'clock, Karen Hughes was appearing before Management Board having, I think, worked the night before on her presentation.

*Interjection:* Give her a break.

**Hon Mr Phillips:** No, I didn't demand she be there. She was just there. She said she ran out of holidays.

I want to pay particular tribute to her because she's typical of many of our public servants. I'm always impressed when I go to community events and ask people, "What do you do?" and how many of them say, "I also work for the public service." Karen's a poster person for us of the kind of people we have in our public service. It takes some courage to actually take on the head coaching job because for eight consecutive world championships you are on the line.

Karen, congratulations. She also, by the way, is head coach at U of T.

Finally, I want to acknowledge that these players are from around Canada, but we're fortunate that many of

them are from Ontario. If you'll permit me, I'd like to acknowledge them. Becky Kellar is from Hagersville.

*Interjection.*

**Hon Mr Phillips:** Yes, Becky is from Toby's riding. Gillian Ferrari is from Thornhill; Cheryl Pounder is from Mississauga; Cherie Piper lives right in the neighbourhood I represent out in Scarborough. Quite a well-known name is Gillian Apps, who lives in Unionville. Her father was a member here in the Legislature, the famous Syl Apps, who represented, I think, Kingston for many years. Jayna Hefford is from Kingston; Vicky Sunohara, as I said, is from Scarborough; and Cassie Campbell is from Brampton. As well, Sami Jo Small is from Winnipeg and now lives in Ontario. The two players who are here today have moved from other provinces and are now living in Ontario and playing hockey here.

Again, on behalf of the Legislature and the people of Ontario, congratulations for a terrific job. You made us all very proud.

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**Mr Toby Barrett (Haldimand-Norfolk-Brant):** Winter after winter, fathers across the Dominion of Canada have been bundling up, heading outdoors and battling the elements to move a garden hose back and forth in the backyard. It's in the back of every father's mind that maybe, just maybe, that backyard rink will develop the next Great One: a Cassie Campbell, a Hayley Wickenheiser, a Therese Brisson or a Jennifer Botterill in our members' gallery today, or, as mentioned, Hagersville's Becky Kellar.

It has taken years, but the dream of making it big no longer lies solely with the boys. On behalf of the opposition, I certainly wish to extend congratulations to Canada's national hockey team. It's the eighth consecutive time they've captured the gold at the women's hockey championships. In this year's final, and in all the previous seven championship games, Canada faced off against our friends and neighbours the United States, and as we know, we shut them out 2-0. Further, Canada has never lost a single game in world championship play, and that's outstanding.

I find these accomplishments on the world stage to be nothing short of phenomenal, considering the historic lack of financial support for Canadian amateur athletes. Further, for members of our women's team, hockey is not their bread and butter. They're not in the same category as male professional hockey players. Many of these ladies have full-time jobs, and somehow they still find the time and determination to bring back the gold.

Becky Kellar was mentioned. She lives just outside Hagersville. She has laced up for Team Canada for several years. She was originally a ringette player—there was no girls' hockey in Hagersville. She went to Brown University and received a scholarship. She was MVP at Brown, and she is one of the world's stingiest on defence in women's hockey. Becky played for Canada in the 1998 Olympics and helped earn the gold in 2002 at Salt Lake City. Today, she continues her hockey career and

does all she can to instill that same kind of passion in other up-and-coming young female players.

In 1998, the Southern Counties Girls Ice Hockey Association was born—in my riding, actually—and membership has grown by leaps and bounds. There are now about 110 members.

I want to make mention of a lady named Ruth Pond. She is 90 years old, and even over the telephone you can hear a smile in Ruth's voice when she recalls her times on the outdoor rinks playing hockey for Simcoe High School. That was in 1928 and 1929—no helmets, and the Eaton's catalogue was used for shin pads. Ruth played defence. She played it well, and she played it fair. A trophy has been established in Ruth's name and is given annually to the most exemplary player in the Norfolk Girls Hockey Association. Her participation and her gift to the game are documented here in Toronto at the Hockey Hall of Fame.

"Girls who played were usually viewed as tomboys," Ruth says. Today, that misconception is fading as young girls turn out with ponytails swinging and a hint of lip gloss. They are little girls with big dreams in a society that is obviously more accepting of this trend.

This has not always been the case. I know of an ordeal my EA went through to play the game. Bobbi Ann Dwornikiewicz wanted to follow in her brother's footsteps, and she skated right into hockey politics. Although the boys' team she played on knew she was a girl, when traveling to other towns Bobbi Ann had to change her name to Bob. With her hair cut short, earrings taken out and a navy tracksuit, she ultimately became one of the boys and pioneered for female hockey players in the tobacco town of Delhi. Bobbi went on to play boys' hockey until she was 18. Her teammates protected her like a little sister, but the opposition was nasty. She remembers being called scandalous names, being spit on, being threatened by both fans and players. At one point, the police were brought in to escort her from the dressing room to the family car.

We certainly are aware how far women's hockey has come over the past few years, and that is quite heartening. So, to the Canadian women's hockey team, I say, "Way to go," and for people like Becky and Ruth and Bobbi Ann, "Go get 'em."

**Ms Marilyn Churley (Toronto-Danforth):** On behalf of the New Democratic Party, I want to thank the Canadian women's national hockey team for infusing Canada's game with a new dynasty, a new energy, and for showing the nation and the world that girls and women indeed got ice—big time. We want to thank you. Your victory at Salt Lake helped make 2002 a watershed year in Canadian hockey history.

You had the nation gripped again a few weeks ago, when you won for the eighth consecutive time, in 2004, the international women's hockey championship—on home ice in Halifax, no less. All your victories on the international stage, or more appropriately international ice, have created a new Canadian hockey legacy, and we are so proud of you.

During this time, when you have set a new bar in world hockey, women's and girls' hockey has seen a 400% increase in participation. You are a key part of making female hockey one of the sports the world is now following with ever-increasing interest and in opening a new chapter in the history of our national sport that has seen women and girls pursuing a gamut of new opportunities on and off the ice. What role models you are, from being players in new girls', women's, and co-ed recreational leagues, to representing Canada in Olympic and world championship play, to becoming coaches and officials in leagues.

I and many others have seen first-hand the many struggles you have overcome to get the sport to this point. You have contended with unsupportive attitudes toward resources being available to females interested in playing hockey. I think back to my niece Sonia Issacon, then known as Sonia Tree, and her experience as a minor league hockey player in BC. Adamant that she get the opportunity to develop and showcase her skills on the ice, she had to join—and she joined with great pleasure—a local boys' minor league hockey team at the age of six in the absence of a girls' team. She persisted in playing all through her adolescence, winning—playing with the boys' teams—most valuable player more than once during those years, with a reputation for being an aggressive and to-be-reckoned-with puck handler. Her mother tells me that she played as though the puck was hers, and if anybody took it away, look out. I think she learned that from me.

Now we are seeing a new generation entering the sport in record numbers, with their communities watching their games, hoping that some of these players will one day bring home Olympic hockey gold. I want to say again to the members who are here today from the team how very proud we are of you, what wonderful role models you are for our daughters and our sisters. Thank you very much for being with us today. We are very proud of you.

## ORAL QUESTIONS

### TAXATION

**Mr John R. Baird (Nepean-Carleton):** Today my question is to the Premier. Premier, Ontario taxpayers are once again angry at you and at your government. In your ongoing attempt to pick the pockets of Ontario taxpayers, the latest victim appears to be those Ontarians who play the lottery.

Yesterday, you refused to rule out any tax increase, including a new tax on lottery and gaming winnings. Later that same day, your Minister of Finance seemed to rule it out. Now, people in the province of Ontario are asking, "Who's the real boss over there?" When you say one thing and your friend Sorbara says another, who are the people of Ontario to bet on?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I know that what my friend opposite is saying is that he is interested in the details of our budget, as are many Ontarians. I can say that we have listened to many Ontarians. We got all kinds of advice. Some people say that we should cut taxes, some say we should hold the line on taxes; we've also had advice saying that we should raise taxes. We are taking all of that into account, and I can tell you we are very much looking forward to presenting our budget in this Legislature on May 18.

**Mr Baird:** I say to the Premier that any attempt to break all of your election promises under the guise of these phony-baloney campaign consultations by focus group that you have undertaken will not work. It will not work here in this Legislature and it will not work with taxpayers across the province of Ontario.

Your latest tax grab appears to bring in groups like the Lions Club and Rotary Club lotteries and bingos, charity casinos, 50/50 draws for minor league sports, hospital lotteries, dream home lotteries like the CHEO dream home lottery in our home community of Ottawa, radio contests, and prizes of all sorts.

1440

During last year's election, you made two promises. You promised that you would not raise taxes on Ontario families, in your words, "by one penny." You also signed the taxpayers' protection pledge, promising a referendum before any new tax or any tax increase. Will you stand in your place and say you will keep your word to the people of Ontario and you will not raise taxes by one penny unless the voters have a chance to have a referendum? Will you do that?

**Hon Mr McGuinty:** I appreciate the member opposite's enthusiasm in anticipation of our budget—and we look forward to presenting it in this House—but I notice he has a particular concern about charitable organizations that might be taken into account with respect to some revenue measures. It's passing strange that today he has an interest in those kinds of organizations and the vulnerable. We ask ourselves, where was he when the former government cut welfare rates by 22%? Where was he, Speaker? Where was he when he said to expectant mothers in Ontario who found themselves up against it and on welfare that he did not trust them with a mother's allowance? Where was he at that time?

**The Speaker (Hon Alvin Curling):** The member for Erie-Lincoln.

**Mr Tim Hudak (Erie-Lincoln):** Premier, you know that the province already nets about \$2.5 billion in gaming revenue. Every quarter put in every machine, every dollar put on every table, the province already takes in the lion's share, and now you want to go after the winners just because they took home a couple of extra bucks.

Premier, I think you know that casinos, bingos and racetrack slots, particularly along the border areas, are already coping with border delays, a higher Canadian

dollar and tough competition across the border. In fact, casino revenue is still down since September 11.

A key incentive to attract tourists is that in Ontario you keep what you win. Now you want to put your mitts into the purses of the senior citizens down at the Delta Bingo or at Casino Niagara. Mr Premier, I have a statement from Niagara: "Don't gamble on a new casino tax."

*Interjections.*

**Hon Mr McGuinty:** I want that member's writer. They're doing better than ours over here.

With respect to the fiscal challenge before us, it is significant. The people of Ontario have been burdened with a \$5.6-billion deficit and an additional \$2 billion-plus in risks, and we're going to have to make difficult decisions. We're not going to shy away from this as a government. They're not all going to be easy, they're not going to be simple, and they're not going to be straightforward. We're going to do the very best we can and we very much look forward to introducing the budget in this House on May 18.

#### CITIZENS' DIALOGUE ON BUDGET STRATEGY

**Mr Jim Flaherty (Whitby-Ajax):** My question is for the Premier. Premier, you've dragged the people of Ontario through a scheme of consultations and focus groups. You have claimed that the focus groups were independent. You've told the people of Ontario that these groups called for increased user fees.

I've just learned that Graham Richardson from Global News is breaking a story this weekend. Graham has exposed your shameful secret scheme. Mr Richardson interviewed Mr Byron Montgomery from Kitchener, Ontario, a participant in one of these so-called independent focus groups.

Mr Montgomery says that the focus groups were just a public relations exercise set up to get the answer that the government wanted. He says, in fact, that they were rigged to get the answers you wanted. He says it was a rigged process. They didn't have much choice, and it was pretty clear where the government was going.

Premier, I ask you, since the whole cooked-up consultation was a sham, will you now back off the raising of user fees in Ontario?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** First of all, let me take the opportunity to thank Mr Montgomery for attending one of our town hall sessions and availing himself of the opportunity to speak with this government. I do want to put on the record, though, that Mr Montgomery did not attend an independent session conducted by Canadian Policy Research Networks. I think it's important that the member opposite recognizes that.

On page 27 of the CPRN document—

*Interjections.*

**The Speaker (Hon Alvin Curling):** I would like to hear the Premier's response.

**Hon Mr McGuinty:** The CPRN document itself, which was independent and conducted by a non-profit, independent organization, says on page 27 where they held these sessions. Kitchener was not among those sessions.

**Mr Flaherty:** Mr Montgomery attended the public forum in Kitchener, Ontario. He says, "Well, the results have said"—

*Interjections.*

**Mr Flaherty:** I'm sure they want to hear. I'm sure they want to know the accurate statement, including the Minister of Energy. I'm sure he wants to hear. So perhaps the Minister of Energy—

*Interjections.*

**The Speaker:** Order. More importantly, I'd like to hear it. If I could just have a bit of quiet on this side. And you could direct your question to the Speaker.

**Mr Flaherty:** At the forum which Mr Montgomery attended in Kitchener, Ontario—and I'm sure the Minister of Energy wants to hear what he said. He talks about the results. He says, "Well, the results have said that user fees, making people pay the full price for the service, is what people agreed to, and that's a complete reversal of what we discussed at Kitchener."

Premier, you are inaccurate when you report to this House and to the people of Ontario that the folks, like Mr Montgomery, attending your forums recommended an increase in user fees. Why don't you come clean with the people of Ontario? This was a fixed, rigged process that you are trying to use to justify breaking over 200 promises that you made last year to the people of Ontario. Will you back off jacking up user fees?

**Hon Mr McGuinty:** The member doesn't want to allow the facts to get in the way of his story. I'm going to repeat it for his benefit. Mr Montgomery did not attend an independent session conduct by CPRN. He attended one of our town hall sessions, which was conducted by various representatives of the government.

What we did to instill greater confidence in the process was retain an independent, non-profit organization, ie, Canadian Policy Research Networks. They conducted a number of sessions and prepared an independent report. Those recommendations flow from that independent report.

**Mr Flaherty:** You say you care about the people of Ontario. Mr Montgomery is a voter, a former Liberal. He says there was discussion about user fees and that the Liberal member was at their table, as a matter of fact. He says the local MP, who just happens to be Liberal, also spent a lot of time at the table and introduced the process. He said they talked about user fees and that his group rejected user fees. He says, "We didn't want to see regressive taxes used, and that's why we're rejecting user fees."

That's the quote from one of the independent citizens who attended the public forum in Kitchener. He's against regressive user fees. You ought to be against them too. You told the people of Ontario during the election campaign that you would hold the line on taxes. Will you

finally keep your word on something to the people of Ontario?

**Hon Mr McGuinty:** I am proud to say that we have conducted an unprecedented pre-budget consultation. We conducted town halls, which were hosted by various representatives of the government. Beyond that, we had an independent non-profit organization conduct an independent piece of research for us.

I find it just a little bit rich that a member who presented the first budget in the history of this province outside of this Legislature—

**The Speaker:** New question.

1450

## SOCIAL ASSISTANCE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. This morning I spoke to a rally of hundreds of courageous anti-poverty activists in front of this building. Some of these people had walked from as far away as Sarnia to send you a message: Ontario needs a raise. Ontario's poorest citizens have had their incomes reduced by 34% since 1995. They struggle to feed their children. They often can't pay their rent. You know it's not fair, you know it must be fixed, yet your government and you have not kept your promise to increase social assistance benefits. Premier, when will you stop breaking your promises and give Ontario's poorest citizens the raise they deserve?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I thank the leader of the NDP for the question. In particular I want to thank the group for making its way to Queen's Park and to thank them for the representations they made. I know the Minister of Community and Social Services had the opportunity to meet with representatives. I can say that we are listening to the case made by our most vulnerable and we look forward to doing more.

But I can say that we take some pride in what we've already done. We have increased the minimum wage. We have eliminated the automatic rent increase this year. We're back in the business of building new affordable housing in the province of Ontario. We've created a rent bank and an emergency hydro assistance fund. We've taken a first and important step when it comes to addressing the problem of domestic violence in Ontario. We've just begun, and we look forward to doing so much more.

**Mr Hampton:** Premier, these are people who have to rely upon social assistance benefits. Your meagre increase of the minimum wage will not help them; I doubt it's going to help even those who are working at minimum wage. Your so-called hydro rate assistance will provide them with \$1 for every 20 additional dollars you take out of their pockets.

Many of the courageous people I saw this morning are people with disabilities. Their incomes have been reduced by 18% since 1995. This includes people like 61-year-old Brandy Crocker of Toronto. From the On-

tario disability support plan she receives \$930 a month, but her rent is \$896 a month. She cannot feed herself and she is at the brink of becoming homeless. Premier, how can you break your promise to Brandy Crocker? Why are you breaking your promises to the poorest people in the province?

**Hon Mr McGuinty:** I say with the greatest respect to the leader of the NDP that he does not have a monopoly on social consciousness in this Legislature. We have taken a number of important steps, and we look forward to taking more. We welcomed the representations that were made by the group that gathered this morning. As I said, the minister took the time to meet with representatives of the group. I can say to the member opposite and to those who gathered this morning on the lawn of Queen's Park that we look forward to doing much more. We can say that we also look forward to having some announcements of this nature included in our budget.

#### CITIZENS' DIALOGUE ON BUDGET STRATEGY

**Mr Howard Hampton (Kenora-Rainy River):** Again to the Premier: Premier, these people are going to be very hard hit by fee increases. They've already been hard hit by hydro rate increases and by natural gas rate increases.

I expect they'll want to watch Focus Ontario this week. You must remember Focus Ontario; it's the program that got you in a bit of a contradiction on your promise to hire 5,000 teachers. This week they will air Mr Byron Montgomery, and Mr Montgomery, a participant, says that your budget consultations were nothing more "than a public relations exercise, simply set up to get what they"—the government—"wanted to come out" of it. Mr Montgomery says that it didn't give people "the option of talking about income tax increases; it only gave us the option of talking about user fee increases." He says that the facilitator at his table, as soon as they wanted to talk about an increase—

**The Speaker (Hon Alvin Curling):** Order. Premier?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** Again, as I replied to a member from the Conservative Party, there was an independent process conducted by CPRN. This particular gentleman did not participate in that independent process.

I expect that there will be all kinds of criticism levelled by members opposite as a result of our efforts to reach out to Ontarians and consult them on a very important matter: their budget. I will say to all the members opposite that we are proud of the fact that we have taken the time and gone to extreme lengths, something that has never been done before on the part of any government, to talk to the people of Ontario. We welcome Mr Montgomery's representation.

**The Speaker:** Supplementary? The member from Beaches-East York.

**Mr Michael Prue (Beaches-East York):** Premier, you claim that all of your processes were open and trans-

parent and that all of your processes were taxpayers' money well spent. All of your processes pointed to the same thing, and that is to increase user fees.

Well, Mr Montgomery was there in another forum and he tells another story. He says, "The distinct majority favoured not having an increase in user fees because of the effect on the poor."

I'm asking you two questions: Will you now admit that your consultation was a sham designed to allow you to backtrack on your election platform; and that this was completely orchestrated by and for the Liberal Party of Ontario and should be paid by and for the Liberal Party of Ontario?

**Hon Mr McGuinty:** The individual in question demonstrates that this process was open to everyone, proof that there was hardly pre-selection. This is a gentleman who disagrees with the results. He's made it very, very apparent to all of us.

Anticipating that there would be some criticism of sessions conducted by representatives of the government, we retained an independent, non-profit organization by the name of CPRN. We asked them to conduct an independent process. They have done so. That culminated in a report. We were pleased to present that to this Legislature, and we're looking forward very much to presenting our budget in this Legislature.

#### OHIP SERVICES

**Mr Robert W. Runciman (Leeds-Grenville):** My question is for the Minister of Health and Long-Term Care. It concerns OHIP coverage for out-of-province medical care.

Last year, a constituent of mine, 25-year-old Jennie Kelsey, was told she was dying of ovarian cancer. Doctors at Kingston General Hospital denied Jennie surgery to address her situation, describing it as too risky, even though chemotherapy was not working. Her parents didn't accept that verdict and turned to doctors at the University of Vermont's Fletcher Allen Health Care, where the surgery was deemed potentially life-saving and carried out.

Minister, do you believe it's appropriate in these circumstances to have the family or the US hospital incur the expenses for the state-of-the-art medical care that this young woman received in Vermont and was denied in Ontario?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I think that it's important to inform the member, and indeed all members of this House, that the policies that are in place have guided this exact situation for a long, long time, under those parties when they were in government and under this party.

In those situations where a patient believes that there is a service available in another part of the world beyond the borders of Ontario, there is a process by which they must make application and receive pre-approval for the covering of any expense. If we didn't have that situation in place, people all across Ontario would be seeking out

treatments and services which would, frankly speaking, be beyond our capacity to pay.

We have in this province a state-of-the-art health care system, one that provides, based on the statistics, some of the best care anywhere in the world.

I think that for the integrity of the process, it's incredibly important that any Ontarian who seeks services outside this province and expects those to be compensated get pre-approval for that expenditure.

**1500**

**Mr Runciman:** I think this is a case where compassion is merited. I would indicate to the minister that she was rejected. I'll send a copy of the OHIP rejection over to the minister. The application, as indicated, was rejected. It states that the surgery was not supported by Ontario doctors.

This young woman has gone through months of hell, told she was dying, and effectively, in the family's view—and I share that view—was abandoned by Ontario's health care system. I'm going to send along with the OHIP letter a petition with hundreds of names, calling on you to intervene and ensure that Jennie Kelsey and her family are treated fairly by OHIP. Will you do that?

**Hon Mr Smitherman:** I appreciate the sensitive nature of the question. Our sympathies lie with those who struggle in the way that is outlined by the honourable member, but had the honourable member taken the time to speak with the former Health Minister, who serves as the deputy leader of his party, he would understand that the section he's talking about is one which provides—

*Interjection.*

**Hon Mr Smitherman:** Well, she would know, then, that it is in the law: no provision whatsoever for the Minister of Health and Long-Term Care to be engaged in the exercise of discretion. That is for a very obvious reason. There will always be circumstances which play to our compassion, but it's incredibly important to note that the integrity of the system depends upon those scientific experts. Those whom we depend upon are those who have medical expertise to make decisions, and in this case there is an appeal process to the health services review board. I would recommend that the member assist his constituent in following through the appeals process.

## FOREST INDUSTRY

**Ms Monique M. Smith (Nipissing):** My question today is for the Minister of Natural Resources. In your statement today, you announced that it was now mandatory for all sustainable forest licence holders to be certified to an acceptable performance standard. As you know, the forestry industry and forest product industry are very important components of my riding, as Tembec and Columbia Forest Products are major employers in my riding.

I understand that a large percentage of licence holders were already voluntarily doing what is now required. While I think it's a positive step, I was wondering if you

could explain for this House why you are making it mandatory at this time.

**Hon David Ramsay (Minister of Natural Resources):** I thank the member from Nipissing for her interest and her continuing promotion of the forest industry in this province. I would say to the member that while 24% of Ontario's forests have been voluntarily certified, what the critics really have ignored with this is that we are the first jurisdiction in the world that is now going to make it mandatory, that if you want to do business in Ontario's forests, you have to be independently verified by one of these world-renowned organizations, to assure the world and the customers of our products that Ontario forests are managed on a sustainable basis.

**Ms Smith:** There have been some concerns raised with respect to the certification process, concerns from small operators and from aboriginal communities. I am sure that there are costs involved as well. I'm wondering if you could address these concerns today in this House.

*Interjection.*

**Ms Smith:** Perhaps the member for Durham has his own question and will be allowed by his party to ask it someday.

But today I'd like to ask if you could refer to these concerns and address them for us.

**Hon Mr Ramsay:** I appreciate the member's concern on that. It was my first concern in contemplating this move, as in my area there are a lot of small companies. The first question I had is, "What resources could we put in place to assist those companies in achieving certification?" There's a very good example of a company in your riding, Westwind stewardship, which has attained certification. We think, with our expertise, our ministry and some resources, that we can help the smaller companies come along. It's going to be very important.

I'd also like to comment on one of the criticisms that was made with regard to First Nations people. Most forest certification regimes also take in the economic-social implications of developing the forest for the people who live in the forest. Part of that is going to be the impact with the First Nations. I want to say to the member that the McGuinty government is dedicated to assisting our First Nations in enhancing their economic development opportunities in northern Ontario.

## CHILDREN'S MENTAL HEALTH SERVICES

**Mr Joseph N. Tascona (Barrie-Simcoe-Brampton):** My question is for the Minister of Children and Youth Services. Simcoe county and York region is the only area in the entire province that still does not have access to children's treatment centre services in their own area. The proposal was reviewed and approved in 2003. In August the Ministry of Health advised the district health council that the funding for Simcoe and York had been committed and would be available shortly. Since your ministry took over this area of responsibility, the district

health council is being told the funding is not there. Minister, where is the funding?

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I believe the member may have his facts wrong. We haven't told anyone anything about their proposals yet. We've just inherited this part of the portfolio. We are reviewing the programs and the finances. We do find ourselves under a challenging fiscal situation, but we are committed to ensuring that all parts of Ontario have good mental health services for children. I'd be quite happy to talk more with the member about the specific case.

**Mr Tascona:** I've got the facts right, Minister, and I can tell you that I'm not going to bet the family farm on that kind of answer. The Minister of Finance knows. He's in that riding too, York region. We need that children's treatment centre.

Minister, it was approved and committed by the Minister of Health. When will the funding for the children's treatment centre in Simcoe county be released? We're waiting for the money.

**Hon Mrs Bountrogianni:** If there is any correspondence that supports what he has just said, I'd like to see it. Formally, the ministry has not said no to any proposals, to my knowledge. We are looking at all the treatment centres, we're looking at all the needs across the province and we are committed to helping the kids with mental health needs across the province.

## EMPLOYMENT STANDARDS

**Mr Shafiq Qaadri (Etobicoke North):** My question is for the Minister of Labour, the Honourable Chris Bentley. I was pleased to see that on Monday you introduced a bill to end the 60-hour workweek. I have heard from a number of constituents in my riding who, while pleased with your announcement, are nonetheless concerned about whether there is adequate enforcement of the Employment Standards Act. What are you and your ministry doing to ensure that the law to protect vulnerable workers is enforced?

**Hon Christopher Bentley (Minister of Labour):** The member for Etobicoke North makes an excellent point. Earlier this week, I was pleased to introduce legislation fulfilling our government's commitment to end the 60-hour work week. One of the things we have found over the past several months is that the Employment Standards Act was not being enforced effectively, was not being enforced in a way that would properly protect the vulnerable workers the honourable member speaks of.

We have done several things. First of all, we have ensured that we are actually going to be enforcing the Employment Standards Act as we should. Instead of simply being reactive, we're going to be proactive. We are going to conduct 2,000 proactive inspections over the course of the next year. But that's not all. We're changing the claims assessment process so that it does not take

as long, so that claims can be assessed much faster. Finally, we are determined to use all the tools in the Employment Standards Act. While last year, the year before, there were only one or two prosecutions started, we're determined to use all the tools to support the good employers and ensure the ones who aren't pay the penalty.

**Mr Qaadri:** Thank you, minister. I'm encouraged by your thoughtful and considered response. I'm also pleased by your commitment to increase awareness of the Employment Standards Act—the rights, the responsibilities among employers and workers.

Can you please explain to this House and to the people of Ontario how you intend to inform Ontarians about these progressive initiatives?

**Hon Mr Bentley:** We are launching an awareness initiative. At the same time, we're launching the enforcement initiative. The overwhelming majority of businesses either do the right thing or want to do the right thing. To support their efforts, we're going to be developing a workplace portal; in other words, one-stop shopping for information for businesses, especially small businesses, so they can easily find how to keep themselves in compliance.

What about the workers the honourable member speaks of? The fact of the matter is that many of the most vulnerable in Ontario are recent arrivals whose first language is neither English nor French. So we are going to be developing easy-to-access information in a number of different languages, as well as English and French, and then we're going to be partnering with community partners such as legal clinics and community organizations to get that information to the workers who most need the protection.

1510

## PRIVATE CLINICS

**Ms Shelley Martel (Nickel Belt):** I have a question for the Minister of Health. In your election platform you said, "The Harris-Eves government opened private two-tier MRI and CT clinics. These clinics will sell vanity scans alongside public services, giving quicker access to those who can afford to buy their way to the front of the line." You promised to "cancel the Harris-Eves private clinics" and replace them with public services. You promised to "expand MRI and CT services in the public system to provide better access for everyone." Minister, six months after the election, seven private clinics are still selling vanity scans and you haven't added new MRIs or CAT scans to the public service. Why have you broken your election promise?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I would first correct the record, and the record that needs to be corrected is that no vanity scans being sold in any clinic in Ontario are receiving public support.

The previous government looked after private interests first; we're putting the public interest first. We're keep-

ing our commitment to ensure that two-tier MRI and CT scan services are not offered in Ontario. Our commitment to the Future of Medicare Act bans pay-your-way-to-the-front-of-the-line health care, period, full stop. What we're operating on here is one system, universally accessible and publicly funded for all.

With respect to access, we've moved. I recently had the opportunity to open a new MRI clinic at the Toronto East General Hospital. We've announced new MRI facilities coming on-line in the community of Windsor. These are just the beginning, as we add access to address the wait-time challenges that Ontarians have told us are too long.

**Ms Martel:** Isn't it strange that in the Liberal platform before the election they were vanity scans, and after the election there's no problem with them whatsoever. You see, Minister, it was your party that made the promise that you were going to cancel the Harris-Eves private clinics. It was your party, before the election, that promised to expand MRIs and CAT scans in the public system. If you meant to keep your promise, upon being elected you would have immediately expanded the capacity in the public system, you would have reduced wait times and you would have shut these private clinics down. Nothing has been done. Six months later we still have seven clinics providing vanity scans and we have no new capacity in the public system. Why have you broken your election promise?

**Hon Mr Smitherman:** It's always great when you get a supplementary that obviously isn't rewritten or rethought to reflect the answer and the information that were provided. We, as a government, have already moved to expand capacity in the public system. We've done that at Toronto East General Hospital and upcoming in the community of Windsor. We're in discussions around the contractual obligations that are there, because that party, when they were in power, imposed those upon us.

The promise I offer to the people of Ontario is this: Vote for Bill 8, support a bill that bans pay-your-way-to-the-front-of-the-line health care, support a government that is in favour of a universally accessible public health care system. Don't take our word for it. Here's what Roy Romanow said: "When I talk about sustainability with Premier McGuinty and Health Minister Smitherman in this province, I hear a strong commitment to the future of publicly supported medicare and a resolve to spending resources designed to leverage the changes necessary, rather than spending on the status quo." Those are the words of Roy Romanow, who stands in comparison to the member opposite.

#### SERVICES FOR DISABLED CHILDREN

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Minister of Children and Youth Services and concerns the KidsAbility centre in my riding. Between 1999 and 2003, the number of children who were served by the KidsAbility centre doubled. I was

very pleased and proud that on behalf of our government, I was able to provide them with an increase of almost 100%. Funding went from \$2.2 million to \$4.4 million. However, as you know, Minister—because they've been in touch with you—the waiting list continues to grow and more funding is desperately needed to meet the needs of these children with physical disabilities, developmental delays and communication disorders. Unfortunately, because of the shuffle in government, the shuffle in your portfolio, they have not yet received funding. So I ask you today—we've received hundreds of letters and e-mails—can you commit to providing additional funding to the KidsAbility centre?

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** This is the second time I've received this question on KidsAbility, so I know it is an important issue in the riding. Other members, as well as my colleague from Kitchener-Waterloo, have brought this to my attention. I cannot commit to a specific amount in any treatment centre at the present time, but my ministry is working with KidsAbility to see how we can meet their needs, and I hope very soon we'll be able to bring forward a plan for all of the treatment centres across the province.

**Mrs Witmer:** I would say to the minister opposite, these children cannot wait any longer. The waiting list is continuing to grow. We did double their funding, and I was pleased to make the announcement to double it from \$2.2 million to \$4.4 million. However, the needs in my community are growing, and if they do not soon have an answer, they are going to have to lay off staff. Can you commit that in this budget there will be extra money for the KidsAbility centre and the other children's treatment centres?

**Hon Mrs Bountrogianni:** I understand the concern of the honourable member. I know she's committed very specifically to KidsAbility. I know of her history there. The last time there was a base increase was 2002, so I understand the waiting list has increased, but I cannot commit to a specific amount. You know, because you were a government cabinet minister for eight years, why I can't do that, but we're working very hard to meet the needs across the province, and I thank you for the question.

#### ECONOMIC POLICY

**The Speaker (Hon Alvin Curling):** New question.

*Interjections.*

**The Speaker:** I'm having another meeting here. I just want to settle that one.

New question, the member from Guelph-Wellington.

**Mrs Liz Sandals (Guelph-Wellington):** Thank you, Speaker.

*Interjections.*

**The Speaker:** Could I ask the members just to keep it down a bit.

**Mrs Sandals:** My question is for the Minister of Economic Development and Trade. I want to ask you this afternoon about offshoring. I've been hearing in the news that the phenomenon of offshoring has become an issue in the US presidential election.

I was reading some information about a PricewaterhouseCoopers study that spoke about offshoring. It went on to say that about 75,000 information technology jobs from across Canada could migrate abroad by 2010. I certainly know from my time teaching computer science that a number of my visa students graduated, went back to their home countries, and set up businesses to serve North America. The jobs that could migrate are well-paying jobs and there could be far-reaching implications for the people of Ontario and the people in my riding, many of whom are employed in the information technology sector.

As the Minister of Economic Development and Trade, what are you doing to ensure that we have high-paying, high-value jobs for the people of Ontario?

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** I thank the member for the question; it's a very good question. The offshoring phenomenon is really a US phenomenon. In fact, here in Canada, particularly in Ontario, we are seeing and experiencing a "near-shore" phenomenon.

The two studies that you pointed to, the PricewaterhouseCoopers and A.T. Kearney, demonstrated that in Ontario we still have a tremendous cost-competitive advantage with respect to labour markets and proximity to the US. They calculate that we could, in fact, see our province gain upwards of 165,000 new jobs in terms of near-shoring. So this is very promising for us in Ontario.

I would say there are a number of companies from India that are expanding here. To name a few, Satyam, Wipro and Infosys Technologies Ltd are all looking to locate here in Ontario. This is good news for us.

**Mrs Sandals:** Thank you, Minister; that's good news. However, the world is getting smaller, and Ontario is certainly under increasing pressure from other jurisdictions. They are competing for our jobs and for international investment.

I know you recently attended the World Economic Forum in January and saw first-hand the number of provinces, states and companies that are competing all over the world for jobs and investment. How does Ontario stay competitive in the global competitive economy?

**Hon Mr Cordiano:** It's a good point you make. There are 1,200 competing jurisdictions around the world that are looking for investment and attracting investment. Right here in Ontario, we continue to have an advantage. Ottawa, for example, is 25% cheaper to operate a business than Atlanta, and that's the lowest-cost location in the US for IT firms.

But we're going to stay competitive—and the Premier has made this very clear—by investing in public education and health care and by investing in our people and upgrading their skills. It's the people of this province who are going to keep us competitive. It's investing in

their skills, and attracting new investment as a result of that, that will keep us at the forefront, at the cutting edge.

I am very optimistic about Ontario's future and our prospects, and I look forward to attracting more investment. With the help of all members of this House, I'm sure we can do that.

1520

## WILDLIFE MANAGEMENT

**Mr Jerry J. Ouellette (Oshawa):** My question is for the Minister of Natural Resources. Today, in the Toronto Sun, John Kerr's article spoke to a number of issues, one of which was an increase in fishing and hunting licence fees. The funds from those fishing and hunting licences go to a fund that distributes the money to various outdoor projects related to hunting and fishing through the protection and enhancement fund.

Groups are being informed, Mr Minister, that the protection and enhancement fund is currently under suspension. After you've promised not to increase fees, how can you increase fees, suspend the program and not commit to spending those funds in accordance with Bill 139, the way they're supposed to be spent in the province of Ontario?

**Hon David Ramsay (Minister of Natural Resources):** First of all, I'd like to say to the member that you're misinformed. The special purpose account for wildlife management is not suspended. That is the system, as you know, where revenues we raise through the sale of licensing for hunting and fishing go into that special purpose account. It's one of the few dedicated accounts, quite frankly, that the government of Ontario has.

On your further question about the potential of increasing fees for hunting and fishing, I would say to you, and I think that most the people who enjoy the resources out there in this great province would agree with me, that we probably undervalue the resources we have in this province.

**Mr Ouellette:** Minister, you can rest assured, I will contact those groups and inform them that the SPA account is not under suspension and that they should be contacting you directly after your commitments here today.

One of the other aspects that article was mentioning today was cormorants. The cormorant program began with the previous government. It was a five-year program which began in 1999. This is the fifth year of the program. Why is it that you're not committing to follow through with the natural progression in the cull in the Presqu'ile area?

**Hon Mr Ramsay:** Again, the member is misinformed. A few months ago, I posted on the Environmental Bill of Rights Web site a proposal to cull cormorants on the islands off Presqu'ile Park. As you know, an environmental group in the province has a bump-up request for an EA of the Minister of the Environment. When the minister has dealt with that decision, we will abide by

that decision. But at this moment, it is my intention to carry through with that cull.

### HIGHWAY IMPROVEMENT

**Mr Jeff Leal (Peterborough):** My question is to the Minister of Transportation. Nearly 10,000 constituents in my riding are commuting to the greater Toronto area on a daily basis. Most will spend at least three or four hours every day in traffic, cutting the amount of time they have to spend at home with their family and friends. To relieve congestion on Highway 401, will the proposed eastern extension of Highway 407 to Highway 115 go ahead as planned?

**Hon Harinder S. Takhar (Minister of Transportation):** I want to thank the member from Peterborough. I know he has a keen interest in this issue, as have the other members from that area.

I just want to make the honourable member aware that we are absolutely committed to moving ahead with this project. We are developing the terms of reference for the environmental assessment for the Highway 407 east completion. We have actually prepared the terms of reference and are circulating them to the stakeholders and municipalities. We want to encourage them to participate in our public open houses and other consultations that will take place going forward. I want to assure him that we're absolutely committed to moving ahead with this project.

**Mr Leal:** This project, of course, has enormous economic benefits to the people of the Peterborough riding. Can you tell us any other transportation projects that are planned for the riding of Peterborough?

**Hon Mr Takhar:** I would like to tell the member for Peterborough that we have several planning studies underway that will determine which highway improvements are needed in that area. A few examples that I can give of planning studies that are going on are the Highway 7 extension from Television Road to Highway 28; from Fowlers Corners to Highway 15; and also Highway 28 from the Burleigh Falls area. These studies will help us determine what needs to be done in that area.

### ENERGY ASSISTANCE FUND

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. A few weeks ago, your government introduced with much fanfare your so-called low-income energy assistance fund of \$2 million. You said that it would help the poorest people in Ontario pay hydro rates, which are increasing rapidly.

My constituency office started calling the Minister of Energy's office and the social assistance minister's office, asking about aboriginal people living on reserves in my riding. You will know that these are some of the poorest people in Ontario. We were told that aboriginal people living on reserve will not have access to the so-called low-income energy assistance fund.

Premier, can you explain why some of the poorest people in Ontario won't receive the benefit of this fund

and why some of the poorest people in Ontario are being discriminated against?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I'll refer the matter to the minister.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** The emergency fund is a \$2-million fund. It's a new fund that's just been created. I'm aware of the calls from Mr Hampton's office to my office, as is the Minister of Community and Social Services. First Nations residents on reserve have access to discretionary programs through the Ministry of Community and Social Services to make sure that their needs are looked after. We have not only discussed this with the First Nations, we have other meetings planned down the road to make sure that they are well looked after. My colleague the minister and the Premier made sure of that when we announced this program. I wish you would have waited for the full answer before you asked the question in the House.

**Mr Hampton:** Look, these are some of the poorest people in Ontario. Telling them to go to the Ontario Works office, where they'll be harassed again—and that's what happens at the Ontario Works office, you get harassed—is not an answer. You said that the poorest people in Ontario would have assistance in terms of paying for increased hydro bills. These are the poorest people in Ontario. Not only that, they have to deal with some of the harshest weather and climate conditions. What is the basis for your discrimination? Why are the poorest people in Ontario being told they can't apply? Just because they're aboriginal?

**Hon Mr Duncan:** We've decided to deal with this issue through the discretionary program to make sure that the special needs of First Nations are met, something that member obviously doesn't understand.

And let me say something else. If that member had had the same outrage when his government cancelled Conawapa—you cancelled Conawapa, you cancelled jobs for First Nations. Your record's shameful.

This government's dealing with the needs of First Nations in a sensitive way and making sure that they're looked after according to the principles of law that have been established throughout dozens of years with respect to the proper treatment of First Nations. The member ought to get his facts straight before he makes spurious allegations.

### LONG-TERM CARE

**Mr Cameron Jackson (Burlington):** My question is for the Premier. In March of this year, your Minister of Health notified long-term-care homes across the province that they would be receiving a funding cut from your government of about \$25 million by reducing property tax relief from 90% to 73%, retroactive for the entire last year.

On April 1, your government announced that the annual case mix measure increase that's been passed on

every year in the past, worth \$30 million, was now cancelled.

**1530**

On April 22, Premier, you spoke to the teachers of this province and said, "I'm going to be putting money into education at the expense of other programs." Then the very next day your government notified nursing homes that funding for property tax relief would be reduced even further, at a cost of \$60 million. Premier, why have health care, and specifically frail elderly seniors, been the target of your most specific cuts?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I'll refer this to the minister.

**Hon George Smitherman (Minister of Health and Long-Term Care):** I had the opportunity earlier in the week to answer a similar question from the member's colleague.

**Interjection:** You didn't answer it.

**Hon Mr Smitherman:** I did answer it, with respect. I said this is a matter on which we continue to be in dialogue with the Ontario Long Term Care Association. The situation is more in the range of \$10 million to \$15 million than the number quoted by my honourable friend. I do take it seriously.

The one point I think it is essential to remember is that our government clearly states that its priorities are related to health care and education, and over the course of the next several months that will be reflected in the comprehensive changes we're going to make to the way the long-term-care process works in our province.

**Mr Jackson:** The fact is, Premier, that today in Ontario you're spending about \$50 million less than nursing homes and residents of nursing homes received last year under our government. Yesterday a nursing home in my riding, the Brant Centre, which is attached to the Joseph Brant Memorial Hospital, home to 175 residents with 168 staff, delivered notices of layoff and reduction of hours to their most vulnerable staff in housekeeping, laundry and dietary aides. Your cuts to this one home in my riding are just about a quarter of a million dollars, or about \$1,400 per resident.

Premier, you promised more funding and yet you've delivered layoff notices to the workers in my community. You promised more care to the residents, and you've delivered funding cuts in this home and in homes all across this province. Why is it that the nursing homes are receiving less money this year from your government than they were receiving last year from our government?

**Hon Mr Smitherman:** The stream of misinformation from that member seems endless today.

**Mr Jackson:** On a point of order, Mr Speaker: I have a letter from the home specifically quoting these numbers.

**The Speaker (Hon Alvin Curling):** That is not a point of order.

**Hon Mr Smitherman:** That point of order notwithstanding, it does not make your information correct. It is misinformation, and I stand by that. The fact of the matter is that it's a little curious to hear the member make

a statement about our funding for this year when we're but 28 days into it.

The point I make to the honourable member is that we're enhancing the quality of long-term care, and we'll demonstrate that over the course of this year. The other point I'll make to the member is that he well knows, because he had some responsibility in this area, that there is, on an annual basis, an analysis of the acuity of the patients in long-term-care facilities and adjustments are made on that basis, which the member well knows, because I think his fingerprints might be involved in helping to develop that in the first place. So just a little more candour about your own involvement and the circumstances around funding would be appropriate—

**The Speaker:** New question. The member from Essex.

#### CONSUMER PROTECTION

**Mr Bruce Crozier (Essex):** My question is to the Minister of Consumer and Business Services. Today you introduced a bill that proposes a number of amendments to a number of statutes, but the main thing is that it's consumer protection that is covered by the initiatives of this bill. Constituents in Essex are as concerned as many across the province about consumer protection, particularly as it relates to electrical safety standards, travel agents and film classification, for example. Minister, what exactly is being proposed in the bill, and how will it help consumers?

**Hon Jim Watson (Minister of Consumer and Business Services):** As I indicated earlier, I want to thank the honourable member for Essex, who was our party's critic in the last Parliament when the Consumer Protection Act was brought forward. It was a good piece of legislation. I also pay tribute to the honourable member for Lincoln, as he was the predecessor.

This piece of legislation is important for a number of reasons. First and foremost, it allows us to speed up implementation of some important consumer protection measures that the McGuinty government is serious about pursuing. For instance, it extends cooling-off periods for prepaid services such as fitness memberships, from the current five days to 10 days. It also allows a 10-day cooling-off period for something that, regrettably, too many people in our community are vulnerable to—time-share and vacation club buyers—and it gives consumers the right to cancel other types of agreements if goods are not provided or services not commenced within 30 days. Also, one final point: It does eliminate—

**The Speaker (Hon Alvin Curling):** Supplementary.

**Mr Crozier:** Minister, I notice that this bill has limited liability for travel agents. The bill would ensure that travel agents would not be liable in the event that a supplier, such as a cruise line or an airline, goes bankrupt after the consumer has paid them. However, some of my constituents have expressed concern that this amendment might then leave the consumers on the hook for fees they've paid without receiving service. So Minister, is

this a bad deal for consumers, or are consumers not to be worried about that issue?

**Hon Mr Watson:** That's a very good question because this particular piece of legislation deals with travel agents, but the protection still remains for consumers who purchase packages and air flights and so on.

*Interjection.*

**Hon Mr Watson:** It's regrettable that the honourable member for Niagara Centre clearly did not even take the time to read the legislation or he would have known that consumer protection remains in this legislation. It's a sad commentary that he was offered a private briefing, he was given it, and it obviously went in one ear and out the other, because this legislation ensures that consumer protection is first and foremost for the travelling public. Second, travel agents are also given some protection for the first time in the province of Ontario, so if there's an end-supplier failure, that small business, which that member should be interested in, is going to be protected.

### TRUCKING INDUSTRY

**Mr Frank Klees (Oak Ridges):** My question is to the Minister of Transportation. When I put the question to the minister in this House this past week relating to the compromise that his officials were making with regard to Ontario's truck safety standards, he responded by saying that he would insist that the federal legislation that is under discussion for proclamation would, in fact, be held to Ontario's safety standards. I'm going to ask that the minister stand in his place today and agree to confirm in writing to the Ontario Trucking Association that he and his staff will not support the proclamation of that federal legislation unless it is held to the same high standards as Ontario's current standards.

**Hon Harinder S. Takhar (Minister of Transportation):** I stood up in the House a couple of days ago and I answered that question. I'm prepared to answer that again. The answer I gave at that time was that we are going to negotiate with the federal government and we are not going to compromise our standards. My officials have made that clear to the federal people and they also made it clear to the other provincial partners, and we're going to stand by that.

### PETITIONS

### AUTISM SERVICES

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I have a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas our new Premier, Dalton McGuinty, and his Liberal government made a campaign commitment to expand funding for valued therapy for autistic children; and

"Whereas the families of autistic children continue to call upon the province to extend funding to children six

years and older who will benefit from intensive behavioural intervention (IBI) funding; and

"Whereas the new Premier has admitted, 'We simply don't have enough people right now with the skills to help those children under six, let alone those over the age of six'; and

"Whereas the Liberal Premier, Dalton McGuinty, described the current cut-off age as unfair and discriminatory;

"We, the undersigned, petition the Legislative Assembly of Ontario to force the government to live up to its promise and extend funding to children six and older who will benefit from intensive behavioural intervention (IBI) treatment."

I support it, and affix my signature.

### SOCIAL ASSISTANCE

**Mr Rosario Marchese (Trinity-Spadina):** "Because social assistance rates were slashed by 21.6% in 1995, and with the increase in the cost of living, that cut is worth about 34.4% today; and

"Because current social assistance rates do not allow recipients to meet their cost of living; and

"Because the people of Ontario deserve an adequate standard of living and are guaranteed such by the International Covenant on Economic, Social and Cultural Rights; and

"Because the jury at the inquest into the death of Kimberly Rogers recommended that social assistance rates be reviewed so that they reflect the actual costs of living;

"We demand that the Ontario government immediately increase the shelter portion of Ontario Works and Ontario disability support program benefits to the average Canada Mortgage and Housing Corp rent levels and index social assistance to the cost of living."

I support this petition, Speaker.

**1540**

### GO TRANSIT SERVICE

**Mr Bob Delaney (Mississauga West):** I have a petition from some weary commuters on the Milton GO line. It's addressed to the Legislative Assembly of Ontario.

"Whereas the city of Mississauga has, within a generation, grown from a linked collection of suburban and farming communities into Canada's sixth-largest city, and tens of thousands of people daily need to commute into and out of Mississauga in order to do business, educate themselves and their families and enjoy culture and recreation; and

"Whereas gridlock on all roads leading into and out of Mississauga makes peak period road commuting impractical, and commuter rail service on the Milton GO line is restricted to morning and afternoon service into and out of Toronto; and

"Whereas residents of western Mississauga need to 'commute to commute,' driving along traffic-clogged

roads to get to overflowing parking lots at the Meadowvale, Streetsville and Erindale GO train stations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Transportation and highways, instruct GO Transit to allocate sufficient resources from its 2004-05 capital budget to proceed immediately with the acquisition of land and construction of a new GO train station, called Lisgar, at Tenth Line and the rail tracks, to alleviate the parking congestion, and provide better access to GO train service on the Milton line for residents of western Mississauga."

As one of those residents, I am pleased to affix my signature.

#### TILLSONBURG DISTRICT MEMORIAL HOSPITAL

**Mr Ernie Hardeman (Oxford):** I have a petition here signed by a great number of my constituents. There are now in excess of 2,500 that we've got back. It's to the Legislative Assembly of Ontario.

"Whereas the Tillsonburg District Memorial Hospital has asked for ministerial consent to make capital changes to its facility to accommodate the placement of a satellite dialysis unit; and

"Whereas the Ministry of Health and Long-Term Care has already given approval for the unit and committed operational dollars to it; and

"Whereas the community has already raised the funds for the equipment needed;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Health and Long-Term Care give his final approval of the capital request change from the Tillsonburg District Memorial Hospital immediately, so those who are in need of these life-sustaining dialysis services can receive them locally, thereby enjoying a better quality of life without further delay."

I affix my signature to this petition, as I agree with it, Mr Speaker.

#### SOCIAL ASSISTANCE

**Ms Marilyn Churley (Toronto-Danforth):** I have thousands of names on hundreds of petitions that New Democrats received today. They read:

"We deserve better: It's time for a raise!"

"To the Ontario provincial Legislature:

"Because Ontario Works was slashed by 21.6% in 1995, and with the increases to the cost of living, that cut is worth nearly 40% today; and

"Because Ontario disability support program benefits have been frozen since 1993; and

"Because current social assistance rates do not allow recipients to meet their cost of living; and

"Because the people of Ontario deserve an adequate standard of living and are guaranteed such by the Inter-

national Covenant on Economic, Social and Cultural Rights; and

"Because the jury at the inquest into the death of Kimberly Rogers recommended that social assistance rates be reviewed so that they reflect the actual costs of living;

"We demand that the Ontario government immediately increase social assistance rates to reflect the true cost of living. This means shelter allowances that are based on the average local rents as calculated by the Canada Mortgage and Housing Corp and a basic needs allowance that is based on the nutritional food baskets prepared by local health units as well as the calculations for the costs of household operation, household furnishings and equipment, clothing, transportation and health care as reported in Statistics Canada's Average Household Expenditures."

I will affix my signature to this petition, because I fully support it.

#### ALEXANDER GRAHAM BELL PARKWAY

**Mr Kim Craitor (Niagara Falls):** I'm pleased to present this petition to the Legislative Assembly of Ontario:

"Whereas Alexander Graham Bell, renowned inventor of society-altering technological inventions, such as the telephone, greatly revolutionized the daily lives of people in Ontario, Canada and indeed the world; and

"Whereas Alexander Graham Bell's contributions to science, technology and society as a whole, were in part developed and tested while he lived in Brantford, Ontario; and

"Whereas Brantford lies at the heart of the section of Highway 403 which runs from Woodstock to Burlington;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To adopt and pass into law" my colleague "Dave Levac's private member's bill, Bill 44," which my constituents are proud to endorse, "the Alexander Graham Bell Parkway Act, renaming Highway 403 between Woodstock and Burlington as a tribute to this great inventor."

I'm pleased to affix my signature.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Tim Hudak (Erie-Lincoln):** It hasn't caught on yet in Erie-Lincoln, but I guess it's on its way down the 403 to the QEW.

A petition on behalf of seniors like Jason Schooley and Linda and Robert Everts from Fort Erie; it reads as follows:

"Whereas during the election campaign the Dalton McGuinty Liberals said they would improve the Ontario drug benefit program but now are considering delisting drugs and imposing higher user fees; and

"Whereas the Liberal government has increased costs to seniors by taking away the seniors' property tax rebate and increased the price of hydro;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors' drug fees."

In support, I affix my signature.

### SOCIAL ASSISTANCE

**Mr Michael Prue (Beaches-East York):** I have a petition that reads as follows:

"To the Ontario provincial Legislature:

"Because Ontario Works was slashed by 21.6% in 1995, and with the increases to the cost of living, that cut is worth nearly 40% today; and

"Because Ontario disability support program benefits have been frozen since 1993; and

"Because current social assistance rates do not allow recipients to meet their cost of living; and

"Because the people of Ontario deserve an adequate standard of living and are guaranteed such by the International Covenant on Economic, Social and Cultural Rights; and

"Because the jury at the inquest into the death of Kimberly Rogers recommended that social assistance rates be reviewed so that they reflect the actual costs of living;

"We demand that the Ontario government immediately increase social assistance rates to reflect the true cost of living. This means shelter allowances that are based on the average local rents as calculated by the Canada Mortgage and Housing Corp and a basic needs allowance that is based on the nutritional food baskets prepared by local health units as well as the calculations for the costs of household operation, household furnishings and equipment, clothing, transportation and health care as reported in Statistics Canada's Average Household Expenditures."

I am in agreement with this, and I affix my signature thereto.

**Mr Jeff Leal (Peterborough):** "To the Honourable the Legislative Assembly of the province of Ontario, in Legislature assembled:

"The petition of the undersigned states:

"That Ontario Works was slashed by 21.6% in 1995, and with the increases to the cost of living, that cut is worth nearly 40% today;

"That Ontario disability support program benefits have been frozen since 1993; and because current social assistance rates do not allow recipients to meet their cost of living;

"That the people of Ontario deserve an adequate standard of living and are guaranteed such by the International Covenant on Economic, Social and Cultural Rights;

"That the jury at the inquest into the death of Kimberly Rogers recommended that social assistance rates be reviewed so that they reflect the actual costs of living;

"Therefore, your petitioners respectfully request that the honourable House urge the Ontario government to immediately increase social assistance rates to reflect the true cost of living. This means shelter allowances that are based on the average local rents as calculated by the Canada Mortgage and Housing Corp, a basic needs allowance that is based on the nutritional food baskets prepared by local health units as well as the calculations for the costs of household operation, household furnishings and equipment, clothing, transportation and health care as reported in Statistics Canada's Average Household Expenditures."

I affix my name to this.

1550

### PROPERTY TAXATION

**Mr John O'Toole (Durham):** I'm pleased to present a petition, actually thousands of petitions, given to me by Al Robinson of the Ontario Private Campground Association. With your indulgence, I'll just read one of these.

"To the Legislative Assembly of Ontario:

"Whereas recreational trailers kept at parks and campgrounds in Ontario are being assessed by the Municipal Property Assessment Corp, MPAC, and are subject to property taxes; and

"Whereas owners of these trailers are seasonal and occasional residents who contribute to the local tourism economy without requiring significant municipal services; and

"Whereas the added burden of this taxation will make it impossible for many families of modest income to afford their holiday sites at parks and campgrounds;

"Therefore, we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That these seasonal trailers not be subject to retroactive taxation for the year 2003; and that the tax not be imposed in 2004; and that no such tax be introduced without consultation with owners of the trailers and trailer parks, municipal governments, businesses, the tourism sector and other stakeholders."

I'm pleased to sign this in support of the campers in the province of Ontario, and specifically in my riding of Durham.

### SOCIAL ASSISTANCE

**Mr Peter Kormos (Niagara Centre):** I've got a petition addressed to the Ontario provincial Legislature.

"Because social assistance rates were slashed by 21.6% in 1995, and with the increases to the cost of living that cut is worth about 34.4% today; and

"Because current social assistance rates do not allow recipients to meet their cost of living; and

"Because the people of Ontario deserve an adequate standard of living and are guaranteed such by the International Covenant on Economic, Social and Cultural Rights; and

"Because the jury at the inquest into the death of Kimberly Rogers recommended that social assistance rates be reviewed so that they reflect actual costs of living;

"We demand that the Ontario government immediately increase the shelter portion of Ontario Works and Ontario disability support program benefits to the average Canadian Mortgage and Housing Corp rent levels and index social assistance to the cost of living."

It's signed by thousands of people. I have affixed my signature as well.

### IMMIGRANTS' SKILLS

**Mr Peter Fonseca (Mississauga East):** This petition comes to me from many new Canadians to Canada.

"To the Legislative Assembly of Ontario:

"Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

"Whereas newcomers to Canada who choose to settle in Ontario find frequent and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

"Whereas Ontario, its businesses, its people and its institutions badly need the professional, managerial and technical skills that many newcomers to Canada have and want to use;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Training, Colleges and Universities and the other institutions and agencies of and within the government of Ontario, undertake specific and proactive measures to work with the bodies regulating access to Ontario's professions, trades and other occupations in order that newcomers to Canada gain fair, timely and cost-effective access to certification and other measures that facilitate the entry or re-entry of skilled workers and professionals trained outside Canada into the Canadian workforce."

### BUSINESS OF THE HOUSE

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** On a point of order, Mr Speaker: Pursuant to standing order 55, I rise to give the Legislature the business of the House for next week.

Monday, May 3, 2004: in the afternoon, Bill 49; evening, government notice of motion 55.

Tuesday, May 4, 2004: afternoon, Bill 26; evening, government notice of motion 55.

Wednesday, May 5, 2004: afternoon, opposition day; evening, Bill 49.

Thursday, May 6, 2004: in the afternoon, we'll be hearing Bill 25.

### NOTICE OF DISSATISFACTION

**The Speaker (Hon Alvin Curling):** Pursuant to standing order 37(a), the member for Oak Ridges has given notice of his dissatisfaction with the answer to his question given by the Acting Premier concerning the citizens' dialogue on budget strategy.

I have one more. Pursuant to standing order 37(a), the member for Oak Ridges has given notice of his dissatisfaction with the answer to his question given by the Minister of Transportation concerning the Ontario Trucking Association. This matter will be discussed at 6 o'clock today.

### ORDERS OF THE DAY

#### EMPLOYMENT STANDARDS

AMENDMENT ACT  
(FAMILY MEDICAL LEAVE), 2004  
LOI DE 2004 MODIFIANT LA LOI  
SUR LES NORMES D'EMPLOI  
(CONGÉ FAMILIAL  
POUR RAISON MÉDICALE)

Resuming the debate adjourned on April 27, 2004, on the motion for second reading of Bill 56, An Act to amend the Employment Standards Act, 2000 in respect of family medical leave and other matters / Projet de loi 56, Loi modifiant la Loi de 2000 sur les normes d'emploi en ce qui concerne le congé familial pour raison médicale et d'autres questions.

**The Speaker (Hon Alvin Curling):** Now we're at questions and comments on Mr Jackson's speech.

**Mr Peter Kormos (Niagara Centre):** I'm pleased to comment on the speech by the member. The problem is, I don't have very much recall of exactly what it was that he was saying. That's fine because I'll have my own time in the floor in around four minutes' time, and I'll have some things to say about Bill 56. It's one of the problems when you have such brief debate periods for legislation like this, and also the effort on the part of the government to somehow suggest, "Oh, everybody should just let this bill pass. There should be no debate; it should just be slid through. We shouldn't address any concerns around it."

On the contrary, it's our responsibility to address concerns. I'm going to do that in a few short minutes' time. Mind you, I'm only going to have 30 minutes in which to do that on behalf of the New Democrats. I wish I had more, but that's not what the rules permit me, so I

will utilize that 30 minutes. I'm going to talk about Bill 56. I'm going to talk about where we expect the bill to go. I'm going to talk about what the bill will do and, more important, what bill won't do, because what's significant about this bill—and quite frankly, it's consistent with more than a few others that we've seen over the course of the last few weeks, isn't it?—is what the bill purports to do as compared to what it in fact will have the effect of.

What impact will it really have? Is it the sort of great, revolutionary Brave New World for workers that the author of the bill, its sponsor, the Minister of Labour, would have us believe? Well, one of the things I'm going to try to draw your attention to is the fact that even the Tories, with their section 50, produced stuff that, quite frankly, was a little more expansive than this amendment by way of section 49.1.

Really, what we've got here is a bit of a mishmash of leftovers of Tory agenda—not unusual coming from this government. Talk about identity theft: Dalton McGuinty has captured and stolen and occupied the identity of Ernie Eves. We prove it over and over again every day.

**Mrs Donna H. Cansfield (Etobicoke Centre):** I agree with my colleague: This isn't exactly great groundbreaking legislation, but really, what it is is a good beginning of something that hasn't been done for 10 years in this province. When you look at the fact that over 90,000 Ontarians alone will die this year, much less those who may have strokes or others who may be in a position where they need support and care, they actually can't get that support and care from their family member currently in Ontario. I think we owe that to them, both from a compassionate perspective and also from the perspective of economics, because over 32% of our folks today care for an elderly parent and/or a spouse. It makes a difference in terms of what their economic well-being and productivity is, if they're trying to work at the same time that they're trying to care for someone who is maybe at the end of their life or has had a stroke.

It's interesting to note that although we're prepared to give a few weeks, there are other jurisdictions that actually give up to 12 weeks of compassionate leave without pay, because they recognize that there is an economic burden in terms of the loss of that productivity within the economy.

The other is that we really do, as the minister said earlier, celebrate the beginning of life. We give maternity leave, we give parental leave, but at times we don't celebrate the end of life, where people have given so much to their community, to their families and to themselves. I think we owe that, as part of being a compassionate society. That's not difficult to do by offering a piece of legislation that I agree is a good beginning to providing care and support for those folks at the end of their lives. I think it's a beginning of some compassion. I think it's a beginning of some understanding of the burden that people bear as they try to juggle working and caring for someone.

They call us the sandwich generation, as we're stuck between the two. I've been in cases where I've seen family members burnt out and where they would have preferred to be with their loved ones at the end of their life in a more joyous situation. So I wholeheartedly support this bill.

**1600**

**Mr Michael Prue (Beaches-East York):** I was here the other day and I was hoping that this bill would be dealt with rather quickly. This is a bill, as I said before and will say again, that is a companion piece to federal legislation. That's all it is. It will be passed, I'm sure, in rapid succession by 10 provinces and three territories in this country.

Quite succinctly, this bill needs to go out to committee. It needs to have some changes made within the bill to make it broader so that it is more encompassing to the definition of family, as we are beginning to understand it in Canada. It needs to be broader so that it can perhaps be as good as the bill that has been proposed in Quebec, which gives not eight weeks, but 12 weeks. And it needs to be broader in terms of who is eligible under the terms of employment insurance.

All that is being said here, and it's being said over and over again by all members of all parties, is that this is a bill for compassionate leave. Of course it is. Of course we want to be compassionate, and of course we want to fall in line with what the federal bill says. But I am at a bit of a loss and a bit of a quandary as to what is taking so long.

I am hoping that my good colleague Peter Kormos, the member for Niagara Centre, will probably put some light on why so much debate is needed on this bill around here. I have to tell you that, if and when I am required to speak to it, I will be very succinct because what needs to be talked about, in my view, is expanding the definition of family. We need to show compassion for a much broader and extended group than is contained in the bill. People come to this country from all over the world, and people are in this country who have a very different definition of family than what is contained in this bill. That is the real crux of the issue and that, in my view, will best be dealt with in committee, if and when this does go there.

**The Acting Speaker (Mr Joseph N. Tascona):** The Chair recognizes the member from Burlington in response.

**Mr Cameron Jackson (Burlington):** I want to thank the members for Niagara, Etobicoke Centre and Beaches-East York for their comments. I had an opportunity to speak at length on this bill and I totally concur with much of what has been said in the questions and responses. This bill is very simply a piece of labour legislation that provides conformity with the federal statute. As the member for Etobicoke Centre quite aptly said, it's a good start, but it's just a compliance. What we would hope for, and that's the point the member for Beaches-East York has made so eloquently, is that we really need to go further with this to answer some questions. If we're

going to wait for the rest of the country to iron out these problems in arbitration, which will just clog up labour departments in our province then, as I pleaded with the Minister of Labour last week in my speech, we need to resolve some of these issues.

The member for Etobicoke Centre and I share a particular interest and affection for the work going on in palliative care in our hospices. I know that if she reads my speech, I made a reference to that issue because there's a lack of clarity with respect to eligibility for persons in hospital settings and palliative care hospice settings in terms of eligibility, to be away for eight weeks to provide care. There were several other questions I raised, and I know the minister took notes that day. I would hope that he would get back to either myself or members of this House with those responses.

Frankly, this falls short of the government's election platform commitment. We lament that. It's why we hoped that we would have a truly compassionate program accessible for persons with disabilities and for children that have longer periods of potential mortality, and that this program should have been expanded.

**The Acting Speaker:** Leadoff for the member of the third party. The Chair recognizes the member of the third party.

**Mr Kormos:** Again, as has been indicated by my colleague Mr Prue, the bill is going to pass; no two ways about it. The bill isn't offensive. It doesn't do anything bad or wrong; no two ways about that, either.

But let's talk a little bit about what the realities are out there. I will, carrying on with the comments made by Mr Prue and Mr Jackson, talk about the scope of people contemplated as being entitled to the leave in contrast, in particular, with section 50, because one would think that there would have been an effort to have the same group of people in section 49.1 as you have already in section 50, that people who are entitled to the 10-day emergency leave would be the very same people who are entitled to this eight-week compassionate leave.

Look, people have commented on the nature of families, but the bill is also a reflection on the nature of health care in this day and age, and it doesn't speak in a very positive way to the nature of health care. I've had occasion—I mentioned this before, I think during some of the questions and comments—like other people here, to visit what we understand to be Third World countries and to witness how people receiving health care in those Third World countries have a very strong reliance on family members and/or friends, but usually family members, being present right there with them. I've been in hospitals where the family members not only attend at the hospital but live at the hospital. They prepare food; they do the cooking and cleaning; they dress wounds; they do a whole lot of the nursing function. We used to perceive that as characteristic of grossly underfunded health care systems, yet increasingly—all of us in this chamber visit our constituents in hospitals and other types of facilities, including seniors' homes—with the destaffing of our hospitals, of long-term-care facilities,

folks in hospital or long-term-care facilities, if they don't have family members or friends attending to them, find themselves seriously overlooked in terms of the level of care they receive.

The fact is that the scarce nursing staff in hospitals simply can't do the jobs all by themselves. They are already doing double and triple duty. The rate of burnout and the stress on nurses and other health professionals is tremendous. The number of days of sick leave that health professionals find themselves taking has grown extraordinarily, and all this stuff compounds.

So when we talk about the need for this legislation, we talk about the reality that, increasingly, folks who are in their final days as a result of any number of conditions—sickness, as a result of merely aging—can't rely upon the health system to provide the support and care that they need. Good grief. Which of us hasn't been plagued by calls around reductions in home care hours being provided to our folks or our grandparents, or the home care being provided to a person who is in the final weeks or days of their life and who is in the, I would say, enviable position of being able to spend their final days in their own home?

Part of the need for the legislation comes from the reality that our health care system is so grossly under-resourced that family members have to be there to tend to their dying relatives. And there probably isn't a person around who wouldn't be prepared to perform that role or ensure that it was performed. But let's take a look at which workers are most compelled to have to absent themselves from work to perform the role of caretaker for a dying spouse, child or parent.

#### 1610

I put to you that one of the most obvious groups of people who would feel compelled to do it themselves are people who don't have the means to hire professional help, to hire private support staff, private nursing staff. Then, if that is a class of persons who feel most compelled to remove themselves, to absent themselves from work for as much as eight weeks—because I appreciate there could be, and I'm sure is, yet another class of persons for whom it's simply a personal choice. Recognizing that there may be little time left with a parent, child or spouse, they want to spend that time with that child, parent or spouse for all the obvious reasons. That would be not out of the need for that person to participate in health care, but for the personal desire of that person to be present during that point in the other person's life, to be able to share that, a sense of sharing. Reference is made to those critical moments in people's lives: births, deaths, these points of passage.

But I'm saying to you that one of the obvious classes of people who feel most compelled to absent themselves from work because they don't have the means to hire professional staff to come in and take care of a parent, spouse or child, either in the home, the hospital or the long-term-care facility are inherently among the lowest-paid workers. I put to you, then, that these are the people for whom absenting oneself from work becomes in-

creasingly difficult, not about the prospect of whether or not you have a job when your eight weeks are over but from the point of view of being able to afford to take that time off. As I understand it—I'm sure people will be quick to correct—based on the material from our research staff, you're basically getting six weeks of unemployment insurance or EI out of an eight-week period. That's a fraction of your working pay.

If you're well paid, if you're making what MPPs make, yes, you can survive for a period of time on a fraction of what you make as an MPP, never mind what you make as a CEO or a vice-president of any of those various subspecies of Ontario Hydro. If you make what you make as an MPP, to support oneself and one's family on a fraction of your income for a period of five, six, seven, eight weeks is entirely feasible. But if you're making 10 bucks an hour, to maintain your household on a fraction of that 10 bucks an hour becomes virtually impossible.

So here's the dilemma. Again, it's not to say that the bill is bad because of it, but it's to point out what the bill doesn't do, as compared to what the bill does. I put to you that, notwithstanding the intentions of the bill and how nice it seems, those people who are most compelled because they don't have the means to hire private nursing and other care staff for a dying relative in that class of relatives that's eligible are the ones who feel most compelled to do the work themselves. But they're the ones who, by the very fact that they can't afford to hire the professional staff, the private additional staff, similarly can least afford to take one week, two weeks, never mind eight weeks off.

Clearly, the high-income earner is more likely to be either in a unionized job or in a position in their workplace where they have far more leverage or clout than a minimum wage or near minimum wage worker like the workers at a franchise coffee shop or at a franchise fast-food joint or at the Wink's combination convenience store/Sunoco service station.

This creates an opportunity for the people who least need the opportunity. The higher-income people are the ones, as I say, who by virtue of being unionized—and that's why they're higher-income—are able to negotiate these types of leaves in their collective agreements, or they're in job positions where they have leverage with their employer and where it's understood these sorts of concessions will be made for a worker. They're the ones who, quite frankly, don't need the bill and don't even need or have as strong a need for the extended leave time of eight weeks because they can retain private care to supplement the modest home care or the increasingly stressed hospital care that a dying relative would get. So it's the lowest-income people who once again get left behind with this scheme.

I appreciate as well that this is but a companion to the EI changes, the employment insurance amendments that provided for employment insurance—I want to issue this caveat to you, and I give credit to Brother Rob McCallion from the Welland and District Labour Council, a trade

unionist who does a lot of advocacy for his sisters and brothers, who warned me about his most recent experience with employment insurance, the UIC provisions regarding UIC coverage, and cautioned me to avoid being overly optimistic about the access to UIC-EI coverage. He told me of a litany of horror show experiences he's had to deal with as an advocate to access unemployment insurance for people exercising this type of compassionate leave under the employment insurance rules.

The sad reality is that EI is increasingly underfunded. It was raided by, as he was then, the Minister of Finance, now the Prime Minister, Mr Martin. It's increasingly run like a private insurance company rather than like the worker-funded social program it was designed to be, such that it has acquired the perspective of short arms and deep pockets characteristic of a private, for-profit insurance company. That means it has to minimize its exposure to payouts, and it does it by denying, whenever possible, whenever conceivable, whenever there's any likelihood whatsoever of being able to get away with it, coverage to a claimant. I have concern as well with the need for a doctor to certify that the relative for whom care or attending is desired has a serious medical condition with a significant risk of death.

Let me tell you what group of persons would not fall within this category, but for whom I believe there should be a provision very specifically under this bill in what will be a new section of the Employment Standards Act.

#### **1620**

Most of us, if not all of us, are increasingly familiar with Alzheimer's. While Alzheimer sufferers tend to live sometimes for extraordinarily long periods of time once they have passed to the other side, if you will, of Alzheimer's, there is a clear—and again, all of us have had our own family experiences or experience within our communities. We've visited so many families that are supporting and caring for a parent or a spouse or a child with Alzheimer's. I put to you—that's why I concur with the proposition that this should go to committee—that it shouldn't necessarily be a condition with a significant risk of death. We should try to find an amendment—and I'd certainly be eager to participate in developing one—that would create a circumstance whereby, for instance—and this is just one example—the spouse of an Alzheimer sufferer who recognized, and for whom medical advice existed indicating that we're getting pretty close to the time when that spouse, that parent, is no longer going to be functioning in the way you would like him or her to if you're going to interact in a meaningful way—well, why shouldn't this eight weeks of extended compassionate leave be available to the spouse of an Alzheimer's sufferer who is on the cusp of travelling, as I say, to the other side, into that special world that Alzheimer's sufferers live in, which is in all likelihood far more painful for their family than necessarily for them?

I'm troubled by the need to have the qualification that there be a significant risk of death. I'm also concerned about—and again, doctors could well express a viewpoint about how likely doctors are to entertain document-

ing the phrase “a significant risk of death,” especially when they’re being called upon to do it with so much advance notice. I’m concerned about the availability of the doctors’ approvals, and making the observation that employers by and large—and again, the employers who aren’t going to be rigid about this are the employers who would be more likely to give this leave anyway and for whom the bill is unnecessary. That’s the problem. Unionized workers who can negotiate things like this in their collective bargaining agreements are removed from the scope, if you will, of the bill, because they don’t have to be considered by the bill. The fact is that good, cooperative employers don’t need legislation like this to require them to permit an employee to leave for compassionate leave. A good employer, a good boss, doesn’t need Bill 56.

That takes us to the consideration that the bosses who are less likely to want to do it are the ones who are going to want to be rigid and firm about meeting the standards. Understand yet another distinction between this bill, Bill 56, and section 50: Section 50 only applies to employers with 50 or more employees. That’s the 10-day emergency leave. It only applies to employers with 50 or more employees. Bill 56 applies to the employer with one employee, and the reality is that an employer with one employee, unless that employer is in that group of bosses that is good to very good to outstanding, is going to look for every opportunity they can to either deny the leave or to circumvent the intent of Bill 56, because they’re going to say to themselves, “I’ve got to have an employee.” If you’ve got 50 employees, it’s far easier to cover—right?—but not when you’ve only got one employee.

I’m not sure how carefully that was considered. Even if that worker is working at a workplace where there’s only one employee, I don’t dispute the right of that worker to be able to attend to their dying spouse, parent or kid, by no stretch of the imagination. It’s not their fault. But I’m pointing out that that one- or two-employee boss, unless they are incredibly generous of spirit, is going to be looking at this legislation with a view to circumventing it rather than a view to abiding by it.

Let’s take a brief look—Mr Prue can look at it; we can look at this together—at section 50.

**Interjection:** He needs help, Michael. Tag team.

**Mr Kormos:** No, we’re not like these other guys. These other guys can’t fill a 30-minute spot if their life depended on it. We can do days if we have to. They don’t let us any more. No tag team. As long as we’ve got water and ice, we’re good for days.

Let’s take a look at section 50, because Mr Prue, I trust, was referring to section 50 when he talked about the much larger group of persons who are eligible. If you take a look at the individuals in Bill 56, which would be section 49.1, it’s a spouse, parent, step-parent, foster parent, child, step-child, foster child, and then, of course, the ubiquitous and hairy regulatorily defined class of persons. And, boy oh boy, that’s when the Canadian Federation—see, if it isn’t in the bill, Mr Prue, the CFIB is

going to have its little spoon in the pot. They’re going to be saying, “Oh, be careful.”

Why aren’t we making this bill consistent with the existing section 50? In other words, where in section 50 it’s a spouse or a parent, step-parent or foster parent of the employee or the employee’s spouse, that doesn’t exist in the bill as we have it. In other words, if you were to want to utilize Bill 56 to care not for your own parent but for your spouse’s parent, Bill 56 would provide no relief to you, but section 50 would. If, for instance, the spouse of a child were to be the person that you wanted to seek leave from your workplace to care for, you could do it under section 50, the emergency leave section, but you couldn’t do it under Bill 56, which would be section 49.1.

The most fascinating but obvious one that’s included in section 50 is a relative who is dependent upon the employee. What if it’s an aunt? Because, you see, you wouldn’t be allowed to help care for or provide support for a dying aunt under Bill 56. You can under section 50.

Really, quite frankly, it’s about the nature of the relationship. If the purpose of the bill is to facilitate—this is my concern. From the most generous perspective, the purpose of the bill is to be compassionate and to let folks spend time with their dying relatives and helping to care for them out of the interests of just being civil. Yet, you see, the secondary purpose of the bill is to permit family members to play an active health care or palliative care role for dying family members. The concern is clear about it being only the more affluent workers, and, if more affluent, the people less likely to need to leave their workplace to administer direct care.

So is it bad legislation? No, and you’re not going to hear a New Democrat say, “Oh, this is horrible legislation; we’ve got to block it.” But I tell you this: I’d far sooner see amendments to the Ontario Labour Relations Act that facilitated workers organizing themselves into a trade union so they could collectively bargain these sorts of things in their contracts. We’d be addressing a lot broader set of needs by ensuring that every worker in this province had the right to belong to a trade union.

Here are the Liberals at Queen’s Park who, taking a page from the Tory hymn book, persist in denying agricultural workers, workers in one of the most dangerous workplaces in this province—here are the Liberals taking a page from the Tory book, telling agricultural workers, people working in the big mushroom factories and in the huge poultry plants, that they can’t belong to trade unions, that they can’t collectively bargain, that they can’t negotiate around workplace health and safety. Indeed, it’s our sisters and brothers in the United Food and Commercial Workers who have the government in court once again, challenging the anti-worker, anti-union bill that the Liberals and Tories passed that let agricultural workers belong to mere clubs. You let them belong to clubs. What are you going to do, give them Mickey Mouse ears and a songbook so they can sit around the campfire?

1630

I have no hesitation in predicting that the courts in this province will be as condemnatory of the government around that fake legislation as they were around the legislation that it replaced. This government, if it were serious about workers and their interests, would be doing more to ensure that workers had the right to organize. If this government were serious about workers being able to care for dying relatives, spouses, parents and children, then it would be doing more to ensure that the minimum wage was increased promptly to the level it should be at, with annual increases, with the net impact of boosting up all low-income wages so that workers in this province are earning adequate incomes, so that the prospect of living on a fraction of it while you're receiving employment insurance benefits while caring for a sick or dying relative becomes a little more possible. Once again, collecting EI on \$8.50 an hour—and who makes \$8.50 an hour? I told you this; I'll tell you again. The workers I was with a couple of weeks ago who are working for Aramark. You people should know that company well: a-r-a-m-a-r-k. They are the worst bosses you could ever find; the sleaziest, scoundrelliest corporate bosses who ever existed.

*Interjection.*

**Mr Kormos:** Well, they are. They are the scum of the corporate world.

Aramark has its cafeteria workers down at Niagara College working hard, long days for \$8.34 an hour while it makes huge profits.

*Interjection.*

**Mr Kormos:** Who said students? These are mothers. These are 30-, 40- and 50-year-old women raising their children. Students, my foot.

*Interjection.*

**Mr Kormos:** My Liberal colleague from Thornhill may think it's OK for working mothers to be paid but \$8.34 an hour. I don't. Because when you're making \$8.34 an hour, you're going to the food bank on weekends. When you're making \$8.34 an hour, you're not just working for scummy Aramark, but you're working for one of the hotels in Niagara Falls 18, 20 or 30 hours a week on the weekend. When you're making \$8.34 an hour, the prospect of a 40-hour workweek doesn't exist, because if somebody offers you overtime you take it, no matter how tired you are. And you take risks. You take risks with your health, you take risks with your physical well-being. And yes, you take risks, knowing that your children don't see you as often as they should. And you take risks, knowing that you're doing a dangerous job and that being fatigued, being tired, incredibly increases not just the chance but also the likelihood of injuring yourself.

So, member from Thornhill, you may think it's fine for moms to have to support their kids on \$8.34 an hour. I don't.

I say that if this government is concerned about the welfare of workers, then it will do what it has to do with amendments to the Ontario Labour Relations Act, among other things, to ensure that more workers have access to

trade union membership and to collective bargaining. It will ensure that workers have the support of their government when they seek fairer wages. It will make sure that the privatized contract operators like Aramark, if they choose to be bad corporate citizens—and, by God, they are among the worst—get whipped into shape; that rather than punishing mothers who work for \$8.34 an hour at inevitably what consists of 40-, 50- and 60-hour work-weeks, we should be telling these corporations that we have expectations of them, especially when they're contracting out their services to public sector operators, like community colleges and hospitals. New Democrats look forward to this bill going to committee.

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I'm pleased to have the opportunity to provide some very brief comments with respect to the legislation. I must say, having heard the member across speak of NDP support for the legislation, that's certainly welcome. Understandably, not everyone is going to feel that the bill meets all the needs of those who may be able to take advantage of it. Nonetheless, it's a clear step in a good direction at a point in time when the most critical of support is needed for a family member whose prognosis within a half-year is terminal, the clear need to provide provisions where they're not already in place; where if someone doesn't have a provision within the negotiated contract for leave; where they have an employment situation where they fear for their job. This will provide at least that window of opportunity.

One recognizes that without pay, it provides stresses on a family member, particularly on those who are receiving the lower end of the pay scale. This will not be an easy situation for anyone. Having said that, the critical element: No one wants to have to take advantage of this type of legislation. It's the last thing we'd want to do, to go to our employer for a leave of absence for a week, two weeks, six weeks or eight weeks, on the premise that a loved one, a family member, is terminally ill and that within a relatively short period of time, they will pass away.

To the extent that the legislation will provide that opportunity for those who might not otherwise be able to take advantage of it, and not worry about the security of their job—when they are in a position to return to work, the bill will be an effective means of addressing those particular situations.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** It's clear from the debate on this proposed legislation, Bill 56, that it does provide job protection for those who take time away from work to attend to certain loved ones at a time when they are near death or approaching death. That's a good start. We recognize that. There's value for this, of course, certainly for the particular class of individuals listed in this bill. It obviously offers some peace of mind in the form of job protection. For those who are dying, it gives them a modicum of comfort, realizing they have the ability and would benefit from the nearness of their loved ones.

However, we also realize that the scope of this bill is somewhat limited. It does not apply to a larger group of caregivers. The bill does not fulfill the Liberal promise to provide family medical leave to a wider group.

There may be a problem obtaining a medical certificate if the loved one is outside of Ontario, where doctors would not be familiar with this law. This is something that I feel should be debated further; perhaps it can be considered if this bill goes to committee. Just the mechanics of obtaining such a certificate, particularly out of province, would be challenging.

The bill does not provide the people who are taking time off of work with adequate or necessary support, in our view. For example, it does not provide improved tax support for people with disabilities. It does not provide improved tax support for family caregivers, for example.

**Mr Prue:** I listened with some intent, both here in the Legislature and on the television, to what my colleague from Niagara Centre had to say. The nub of it, and he said it eloquently and well, is the failure of the particular section of the bill—I believe it's 49.1(3)—to define what is a member of a family. This is the smallest definition of family I have seen in some considerable period of time. It is limited to the spouse, the parent or the child of the immediate person affected. It does not include—and we should be very clear for the record—one's sibling, it does not include one's grandparents, it does not include one's grandchildren, it does not include sons- or daughters-in-law or any of the other variations of an extended family. This is perhaps the problem with the bill. This is what my friend from Niagara Centre had to say, that it needs to go to committee.

**1640**

We need to take a very serious look at how far this bill should extend. Certainly, we know that the definition of "family" in today's society is not really the same as the definition perhaps only a generation ago when this may have been acceptable. We know today that people may have multiple partners through their lives. We know today that people may have children from various marriages living together under the same roof. We know today that families and extended families may all live together in a house. We also know today that people come from all over the world to live in Canada; people whose traditions are not our traditions, people whose family definition is not our family definition. But they are citizens too, and in this bill we need to make sure that we do not segregate or treat them in a different way. We need desperately to send this to committee and have a proper definition of today's family.

**Ms Kathleen O. Wynne (Don Valley West):** I want to pick up on a thread that went through what the member from Niagara Centre was saying, and that is a focus on women's lives. I don't know if it was intentional, but it's quite clear that he understands that this bill has to do with the plight that women in this province find themselves in.

This bill is part of our plan to reweave the social fabric in this province. Now, I would be the first to say that I

don't think anybody in our caucus would say that we can do it all at once, that we can fix everything that needs to be fixed and we can do it all within the first year or even within the four years. There is an enormous amount to be done, and there's even more to be done because we're playing catch-up on every file. Whether you're talking about student aid, whether you're talking about social assistance, whether you're talking about disability or whether you're talking about the structures that allow people to look after their families, which is what this bill is about, we are playing catch-up. There have been eight lost years in this province. I think it's incredibly important that we keep that in mind, because every piece of legislation that we bring forward is going to be moving us in the direction of more compassion, moving us in the direction of a society that is more supportive of the people who need support. But we're not going to get there as quickly as all of us would want to.

It's important to remember that we're reweaving the social fabric and we're remembering that women's lives are often the lives that have been the most disadvantaged over the last eight years and are the lives that need to be focused on. It's women who are doing the caregiving and so it's women who need this bill most of all.

**The Acting Speaker:** Response from the member for Niagara Centre?

**Mr Kormos:** Look, I appreciate what people have to say. The bill has got to go to committee. We've got to hear some of the things that people like Brother Rob McCallion would tell us about the difficulties in terms of workers even accessing EI or unemployment insurance benefits. We've got to hear from workers in the lower income levels about what this bill means to them if, in fact, they have to live on EI benefits less two weeks. We've got to hear from people whose family realities are such that the definition of "family" contained in the existing section 50 of the Employment Standards Act is far more important and far more relevant to them than the very restrictive definition of "family" contained in Bill 56.

The legislation is, in and of itself, inoffensive. My concern, the concern of New Democrats, is that it isn't the be-all and end-all, the great cure-all, the panacea, if you will, for the issue, for what the government is purporting to indicate is some sort of right, some subtle right in the bill for people to tend to a dying relative.

I'm also interested in seeing the committee entertain amendments that would ensure that the spouse, child or parent—even a parent—of an Alzheimer's sufferer would be able to take advantage of this leave provision with a guarantee of keeping their job to spend some final days and, yes, weeks with a person whose Alzheimer's was so advanced that there wasn't going to be very much time left to engage in the exchanges that the Alzheimer would, in short order, prevent from happening altogether.

This is window dressing. What we're anxiously waiting for is for this government to come clean, for this government to keep some of the fundamental promises it made to those working families who voted for change and ended up getting more of the same.

**The Acting Speaker:** Further debate?

**Mr Mario G. Racco (Thornhill):** I will be speaking on second reading of Bill 56, family medical leave, and I will be sharing my time with the member for Ancaster-Dundas-Flamborough and Aldershot.

Before I make my comments, let me clarify something the member from Niagara Centre stated that I find to be unfortunate. I certainly don't need any comments from anybody, including yourself or any members of this House, when it comes to the minimum wage. I am a person who worked for five years for the minimum wage in the restaurant business as a student. The member for Niagara Centre may have done that too, but certainly he doesn't have anything to teach me on this matter.

I also want to make the record clear that I am fortunate to represent one of the wealthiest ridings in this province, but even so, I have people who work for the minimum wage, for \$8. I don't think it is the right dollar to earn, but we will try our best to make our system better so everybody can make more money.

The NDP certainly doesn't have any better right on speaking on this matter, especially when it comes to me. I want to make that clear. After all, I am a first-generation new Canadian, on my own, without my family, who worked for \$2.65 when I was a waiter. The NDP, or others, cannot teach me anything in this area.

Having said that, let me speak on the merits of Bill 56. Bill 56 is something that is overdue. I'm pleased it's in front of us and hopefully all the parties will assist in making sure that we deal with this matter quickly, because after all, at the end of the day, what we are here to do is to improve our system. What better can any of us do than to allow any of us to be close to their loved one during a time that is so important? Those of us who have left a country where we were born and where our parents were left understand this situation better. Certainly I know personally what it means. I wasn't there when both my parents left. Therefore, there is nobody who can speak to me on this matter.

The bill is going the right way. We're going to make major, real and positive change by providing job protection to those family members who need to spend time with their loved ones at a time of major need. It is also important to understand that an employee who is able to concentrate on the job, an employee who is not worried about what's happening at home or to their loved ones, will be able to concentrate better on the job he or she is doing, and therefore be more efficient, more productive and do better for this province, for himself or herself, and for the employer he or she is working for.

The people of Ontario, their drive, their intelligence and their resourcefulness are what we offer the world. This is going to help that. We will only have better prosperity, or good prosperity, when the people in our province are taken care of, when their well-being is taken care of.

1650

Quite often, when members have loved ones who are in need of special attention, and if they are faced with the

possibility of losing their job or staying with their loved ones, of course they would like to stay with their loved ones, but everybody's financial situation is not the same. Sometimes, some people just cannot afford to lose their job. This law will allow those people in particular, who are more in need, to make sure they have the time they need to address their family needs. This bill should certainly be lauded by all of us, because at the end of the day we all have family, parents and children, and everybody will go to another world one day. All of us will be affected one way or the other. What we are doing is making sure that all of us have the opportunity to take that eight weeks' time to stay with our loved ones. There's nothing better for anyone in their last days of life than to have their loved ones close to them. It's humanly good, but it's also good for any other reason that you can think of, and therefore, giving the opportunity to those people to be close to their loved one is the right thing to do. Again, we are doing that.

Because employees are not getting paid for that time unless there is an arrangement that they are making with their employer, there isn't the type of pressure that would be there if, in fact, the employer would have to pay the employee. It's easier for an employee to be able to ask for and receive the time, considering that the employer will not be penalized financially; in other words, will not have to pay the time that the employee is taking off. I think it's a smart thing to do and it's going to be fairer to people who are less able to defend themselves. I go back to the comment made earlier where there is a small operation. Surely the fact that the employer does not have to pay the employee would make it easier for the employer to not be difficult in providing the time.

What's interesting is that studies have clearly demonstrated that when the employee goes back to work, he or she will be much more productive. That's very important, again, in particular for the employer who might be looking at the bottom line. We shouldn't look at the bottom line at those times, but some people do. I believe that the legislation has taken care of that area and will make sure that there is less concern for that possibility.

At the end of the day, what all of us should try to do is make sure that employees are motivated enough, satisfied enough, to be able to go to their work and do their job without many worries. Quite often there is a situation where family members are not well and the employee stays home to give some comfort, but then goes to work. While working, of course, their mind isn't on the job but with a loved one. Of course, it's understandable. I think all of us certainly have experienced and will be experiencing those situations. Therefore, it's important that we allow the employee to take the time to deal with the personal matters so important to everybody, and when he or she goes back to the job, he or she will be much, much more efficient.

The benefits to society are clear. There are estimates that put the direct cost of absenteeism in the workforce in Canada at approximately \$3 billion to \$5 billion a year. That's a huge dollar amount. Imagine how many subway

lines we could build in this province and this country if those losses were not there, those inefficiencies.

**Interjection:** It would take care of the deficit right away.

**Mr Racco:** It would take care of the deficit right away, as has been said. It's not just good from a human standpoint, but it's also economically the right thing to do.

Ontario is a society that is caring and compassionate. People prefer to be at home to die. Their families want them to be at home, and they want to be with them. Of course this legislation would define the kind of people we choose to be. We are people who care about each other, people who understand that any of us can be affected at any time and people who are trying to take care.

As a government, we are trying to take care of an area which all Ontarians will benefit from, in particular those less fortunate, those who may need some assistance from us. This bill should be supported as soon as possible.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** My colleague opposite from Thornhill obviously comes from a tradition where family asks little of government and expects even less in return. They understand what it means to work and to make their way through. I listened very intently to that colleague, and I appreciate that.

The poet T.S. Eliot writes these words in his choruses in the Rock when his stranger asks:

What is the meaning of this city?  
Do you huddle together because you love each other?  
What will you answer? "We all dwell together  
To make money from each other"? or "This is a  
community"?

The poet has posed for us the basic existential question, hasn't he? It's a question about meaning, values and priorities.

One of my boyhood heroes, the late Reverend Dr Martin Luther King Jr, once said, when asked about what politics was, "Politics is essentially about two things: about how we take the principles which, on a good day, we would hold to be self-evident and translate them into social policy and, secondly, about how we make decisions about the distribution of goods, services and opportunities."

This bill speaks to a principle which I believe we in this House, and certainly on this side, hold to be self-evident, and that's the principle of compassion. We, as leaders in this place, have a particular responsibility in this regard. In fact, I want to put to the House that real leaders aren't afraid to use words like "love," "compassion" and "common sense" in the same sentence. Real leaders go out of their way to ensure that their kids, their kids' kids and the kids in school understand that real leadership is about compassion and that building strong, healthy, caring, vibrant, sustainable communities is about standing together in solidarity with one another, particularly in times of need and perhaps with an even more focused responsibility, as our Premier has said on many

occasions, for those at the onset of life—we know all about the impact of low baby weight at birth and some of the things we should be doing—those in the twilight of life and those who, for whatever reason or combination of reasons, find themselves living in the shadows.

I've made a case on several occasions in our caucus that we ought to be doing what I understand is done in British Columbia, where there's a series of different ministries. In BC, they actually have a ministry responsible for palliative care. I don't know if members know this, but do you know that 70% of our health care dollars are consumed by 2% of our population? You say, "That's crazy. How can that possibly be?" When you know this, it changes your perspective about the health care system. It's because of the incredibly high costs around palliative care, around death, but it's something that we value as a society. In fact, the measure of our collective conscience and compassion is how we can respond to the needs of people who are in their last days.

1700

In the last five years I've been through this twice, with two parents. I have to tell you, it ain't no fun. It's not something people line up to do. Most intelligent people, and even some non-intelligent people, wouldn't want to go to their employer and say, "Gosh, golly gee, I need eight weeks off to hold hands, hug, cry, make amends, patch things up." It's not a lot of fun. But this bill certainly acknowledges that it's a reality we need to deal with.

The bill isn't perfect. It needs some work; it sure does. I've listened to the debate over the last few hours and made some notes. I think it is about the nature of the relationship. Frankly, I'd make it available to anybody, if we're talking to the principle, to take care of anybody, anybody they care enough about to do that for. I'd prefer to see the legislation be quite intentionally permissive. If there are eligibility issues, we need to deal with that.

Frankly, I think the bill calls out for other supports and programs to be in place. This is just part of a patchwork quilt. It's a good part, a good start, but I don't want excellence to become the enemy of the good. You don't throw something out because it isn't excellent. You build on it. I think the member from the third party who is still present was making some of those points, that we need to get on with it.

I think we need to be looking at support for families and individual members who can't afford to avail themselves of it, too. That's something we need to be creative about, and I think there are ways to do that. We need to develop, as we talked about during the recent election campaign, a continuum of health care options, particularly as it relates to home care and what have you.

I want to just tell a story to try to make this point. I was at a lecture, as Mike Colle will appreciate, in Burlington on advances in dementia research. An 83-year-old man came up to me and said—true story—"You know, Mr McMeekin, I'm pleased you're here, but I want to tell you something. I'm not afraid to die." What do you do with somebody whose opening remarks are, "I'm not

afraid to die"? I said, "Well, tell me more." This incredible 83-year-old man is caring for an 81-year-old spouse with Alzheimer's. The member from Welland mentioned Alzheimer's as one of the anomalies that were worth looking at. And he was saying that he doesn't fear death. I asked him what he feared. He said, "I fear getting one of those catastrophic, debilitating illnesses that will make me a burden on my family." I said, "Wow. That's pretty dark. What's your hope?" He said, "I hope I get really sick late and die fast."

Think about the number of times we've made comments, when somebody passed on, that they went quickly. A long, lingering death that's full of pain and what have you is a particularly unpleasant thing, and those are the particular circumstances we need to look at.

I had some real sympathy here. I think it was Bobby Kennedy who once said we should respond to people because we love them, but if we can't respond because we love them, we ought to understand that we should be responding to the vulnerable and sick because it just makes good sense, good economic sense, as well.

*Interjection.*

**Mr McMeekin:** Kennedy again.

Look at the cost of health care: \$812 a day to stay in one of our four Hamilton acute care hospitals. It's \$117 a day in a long-term-care facility and \$44 a day for home care, according to a BC study. Isn't it interesting? I think we got it, as the fishermen would say, bass ackwards. We're letting home care go down the tubes. The VON has to move out of Hamilton because they can't afford to survive. The VHA has gone bankrupt. This 83-year-old friend of mine, with the 81-year-old Alzheimer spouse he's providing care for, with all the stress related to that, fortunately with some supports, because of the incredible work the Alzheimer Society is doing, wants to stay at home and wants those supports.

I'm optimistic this is part of a quilt that is emerging that by itself is admittedly a good start but still inadequate. We need to be visiting our comments about investing in and developing a wider scope of home care options, and this particular bill, which provides advantages to employers, employees, families and what have you, may also be the spur that will get us looking seriously at supplemental options that will make this thing more useful than—

**The Acting Speaker:** Thank you. Comments and questions?

**Mr John O'Toole (Durham):** I listened with some intent. In fact, I came back to the House to make sure I wouldn't miss any comments being made by the member from Thornhill, and I was pleased to listen to the remarks from the member from Ancaster-Dundas-Flamborough-Aldershot.

I have had a couple of occasions to speak very briefly on Bill 56 before and I made a couple of points. Later this afternoon I will be making some remarks, hopefully generally supportive. It goes somewhat short of what would be the perfect science, but nonetheless this is an imperfect world.

I'm often drawn into this, perhaps because I'm more senior. Perhaps Mr Phillips and Mr Kwinter are the only two older than I am. We're all going to be in need of care some day, regardless of the point in time, and at that point I want that care to be there. It may be my spouse in the first instance. We need to have regard for those vulnerable people in our society, and that's really the thrust here. It isn't age-appropriate. It's for persons who are in imminent stages of death. It's a very difficult topic to speak of, because each of us is close to either our grandparents or our in-laws and we have a social and moral obligation to be kind and compassionate.

I want to leave the message clearly that the Conservatives are probably one of the more compassionate groups. If you look at the fundamental ideology, it's that those who have should take care of those who have not. The NDP sometimes gets credited with being the most compassionate. There was a question today where I think it was the health minister who said, "You don't own compassion." I think he was talking to the leader of the third party. I want it known that in my view, each member here is compassionate. It's a matter of sharing the scarce resources. It's in that part; I don't see many resources in this bill. I'll speak to that at some length later this afternoon.

**Mr Prue:** I rise to speak about the two previous speakers, the one from Thornhill and the speaker from Ancaster-Dundas-Flamborough-Aldershot. I think that's the longest name of any riding in Ontario. What they had to say of course makes eminent sense. As I have said before, everyone believes in compassion. Everyone believes we need to go as far as we possibly can with this bill, but no one I'm hearing from the government side has yet made that leap.

They have talked about this being a first step. Of course it's a first step. They have talked about this bill being the first of many steps in the future. But I would remind them that subsection 49.1(3) says, "any other relative as prescribed." The member from Ancaster-Dundas-Flamborough-Aldershot made a very good point, that we should be looking almost literally for any relative who wants to spend time with a dying person. Quite frankly, I agree with him. But that should be in the bill. It should not be as prescribed by cabinet or some arcane regulation that no one is ever going to see. It should be point blank, right out there in the rules. We're not afraid to pass a mediocre bill, but we should be brave enough to pass a good one, one that says exactly what he in his heart believes: that we should make this as compassionate, open and all-inclusive as possible.

**1710**

I can see circumstances, and I will speak to this later, where you may have two or three children of a person who is dying, who each want to spend some time with relatives. I don't see that in this legislation, but all of them may want to have that. Maybe they all can only afford to take a little bit of time away from work. Those are the things we should look at. Those are important, they are human and they should be in the legislation.

**Mr Bob Delaney (Mississauga West):** Many other speakers, and especially the member from Ancaster-Dundas-Flamborough-Aldershot, have spoken eloquently about the obvious need for compassionate leave that this bill affords Ontario workers and the employers with whom they work. It is fitting that on the same day that we honour the memory of the son of the member for Prince Edward-Hastings with Sandy's Law, a measure to inform Ontarians to the dangers of fetal alcohol syndrome, we discuss a measure to help Ontarians through a loved one's final days.

Our religious leaders advise us to live every day as though it were our last; to do good, and to use our energies and skills to their best effort with each new sunrise. Where we are challenged is when our lives are no longer under our control and someone close to us faces the end of their life; when death is at hand; when they need to lend us their company to support them; and to remember their times and their affections day to day. Where the deities that we worship challenge us is when that end approaches.

Of necessity our thoughts are with our family member. Not only do we need to be with them to lend them our support, we need to be with them to get ready ourselves to face a world without them, to face a world without an accustomed touch, a running joke, a favourite moment, or some times that we shared together.

This is a good measure. This is a measure that affords individuals a recognized means to separate themselves from their livelihoods. This is a measure that tells companies, "This is how you separate an individual from a job," and says to an individual, "It's time to go home. Forget about the job; it's OK to do this."

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** Listening to the debate from the government members opposite on Bill 56, again I really don't hear a clear commitment to a promise made last year. During the election at that time, Mr McGuinty, now Premier McGuinty, told people in Ontario that legislation would be forthcoming to help parents and others deal with relatives who were seriously ill. Again, I recall discussions of assistance, perhaps to an elderly parent who had broken a hip or a child who was seriously ill. These were the kinds of scenarios that were in people's minds, who did listen to this particular commitment from what is now the government of the province.

What I do not recall, and I would expect Ontarians did not recall, was that there would be a very limiting criterion here: this aspect of likely death. During the campaign, there really was no talk of this legislation or the promise being limited to only people who were dying or likely to die. The promise, as I understand it, was to help families cope with serious illness within the family. I do put forward that, on that count, Bill 56 does fail. Perhaps it could be listed as a broken promise or, at minimum, a promise that has been dented or bent in some way.

However, I'm not here to beat up the government. I'll leave that up to Mr O'Toole, if he so wishes. I do recognize that this is a good first step. Bearing that in mind, we

will continue with our right and duty to hold this government accountable for that promise.

**The Acting Speaker:** Response?

**Mr McMeekin:** I would like to thank the members from Durham, Beaches-East York, Mississauga West and Haldimand-Norfolk-Brant for their comments. I think the comments were quite helpful.

The member from Beaches-East York talked about the importance of incorporating some changes into this legislation, and I think that's a useful addition.

The member from one of the other aforementioned ridings talked about the moral and social obligation we have, and faith leaders. He could very easily have said it's our role to seek justice, to love mercy and to walk humbly with our maker. That would have been a helpful—he was probably thinking it. If he had more than two minutes, he would have said that.

The need for a longer-term strategy, I think, is finding some expression in what the government is doing around elder abuse, around our long-term-care hotline, around the Alzheimer's strategy and some of the new initiatives that are happening there, around some of the housing initiatives for seniors. It will hopefully find some expression in the reference to the \$250-some-odd-million upgrade to the long-term-care/nursing home/home care front. I, like many members of this House, wait in breathless anticipation to see just what—with our limited ability to respond and with some of the challenges we have before us—we can do there.

I'm pleased to have made some small contribution to this. We look forward to building on this good start, and in fact to taking some other initiatives that will supplement it and serve well the people of Ontario.

**The Acting Speaker:** The Chair recognizes the member from Durham.

**Mr O'Toole:** It is my pleasure this afternoon to speak for the next hour or so on Bill 56. I'm waiting for the clock to turn here to see just how much time I get. Looks like the whole afternoon.

Bill 56, I think the member from Haldimand-Norfolk-Brant basically said it's a good first step. It is just that: It's a very small first step. In fact, for the viewer, I think it's important to know that when legislators, your elected representatives here late this Thursday afternoon—actually most of them have gone home. But this is a three-page bill and half of those three pages are in French, so actually the bill is a page long. There it is right there. I don't know if the camera can pick that up or not, but it's actually quite disappointing in terms of any substance in here. In fact, there is no commitment to any resources whatsoever.

But when I'm speaking this afternoon I certainly want to be on the record as, sort of, "We care"—not "sort of"; we do care. In fact, to put a face and name it to, I can relate. As the member from Peterborough would know, I'm the power of attorney for my mother-in-law. I'm the only surviving relative she has. She's 85.

At this time last year, she was in a rehabilitation unit, having fallen. I'm power of attorney, so all these things

are very dear to my heart. Lived on her own in the country; frail elderly at that time. A lot of parts were missing from her needed support. Now, thankfully—this last Saturday we were down to visit. Madge Hall is her name and I hope she isn't embarrassed. Hopefully, she's watching. Hello, Madge. But I would say this: Her life has changed through care and attention, basically, and I am happy to report that. We had her to the hearing clinic last week in Peterborough. You know, that's becoming a problem, as these various things need support.

But there's nothing in this bill that would actually help my mother-in-law, your grandmother, your child. There really isn't anything here.

**1720**

In the last few days, I know the member for Kitchener-Waterloo has questioned the Minister of Health, Mr Smitherman, and asked him very pointedly on the long-term-care discussion. In fact, I think more recently, for those listening, really the best question was asked this afternoon by the member from Burlington, Cam Jackson, who was Minister of Long-Term Care for a period and is very intimately familiar with the issue. He asked Mr Smitherman very directly and very specifically about a long-term-care facility in his riding that, through the various secret changes that have occurred in the last few months, in the last six months, when a publicly owned or privately owned long-term-care facility used to get 90% of their municipal taxes rebated through the Ministry of Health and Long-Term Care—initially, it was reduced to only 70% that would be rebated. Now it's down to only 50%.

What that actually translates to—it's very important to understand that—in the case that I'm speaking of it's called The Wynfield, which is a long-term-care facility. It's run by Regency homes, a long-term-care operator. I think they have a number of long-term-care facilities. It's a beautiful facility of 172 beds. My numbers aren't exact, but they're in the ballpark. For Regency, it means that their taxes today are over \$400,000. Those are municipal property taxes because it's taxed as a commercial facility. I don't know if it's commercial. What's commercial about people living? It's their residence. It's home to 172 people. But there's one of the faults: It's classed, this property tax rate, as commercial. They pay an inordinate amount of tax. If you just divide it by 100 units, that's over \$4,000 a unit. And when I'm talking units, I'm talking one room and a bath. They're built to the new standard and I appreciate that, but that's an enormous amount of municipal tax, mind you. That's the tax that would go to the region of Durham, and in this case to the city of Oshawa, and a smaller, lesser amount, of course, to the school board. It's roughly about 20% of that \$400,000 that would go to the school board.

They used to get a rebate of 90%. So they would pay the \$400,000 and the Ministry of Health would transfer them 90% of their property tax. Remember, those of us in the House probably understand it, but for those listening or viewing, understand that that tax is really paid for by the residents, either directly or indirectly. If it's a long-

term-care facility, private or public, they get about \$1,400 a month from the Ministry of Long-Term Care. I think the actual number is \$1,459. Not a retirement home like my mother-in-law is in. She pays around \$2,000 a month, roughly. That does not include care. That includes her meals, her laundry, a certain amount of house-keeping, and certainly they have a caring staff; there's no question. But she pays it all. If you're in a long-term-care facility and you're in the public allocation space, it's about \$1,459. And there's also a cap. A person staying in public—that's municipally operated—or private, there's a cap on how much they can actually charge. I think it's roughly about \$2,059 a month that they can charge for a private room. That includes a certain amount of care and that becomes the issue—the care. We've argued about the level of care in nursing homes for years. The level of care might include, by regulation, a certain amount of—there's an allowance for what they call category allowances for personal hygiene which would include bathing. There's an allowance for their food, which I think is very modest. I think it's around \$5 a day. And the rest is really the heat, hydro and staff wages.

The point I'm trying to make here with respect to this bill, and if I can only relate, it is not simply the caring-for-the-aging-population issue; it's for a person—as I read the bill here. I'm going to bring it back to Bill 56. I'll read the preamble here: "The bill amends the Employment Standards Act, 2000 to entitle employees to up to eight weeks of leave ... without pay"—very important—"to provide care or support to specified family members." The member for Beaches-East York did specify that it's one of the shortcomings of the bill. As a caring, compassionate society, we have a responsibility to those around us; we really do, but not just family members. They could be in-laws from marriage. They could be older, extended family members like aunts and uncles, widows, all those kinds of things. This thing is very restrictive in terms of the schedule of who is entitled, as the caregiver—must be related to the person who is in imminent danger of death.

This explanatory note goes on to say, "The provision applies if the family member suffers from a serious medical condition with a significant risk of death occurring within a period of 26 weeks or such shorter period as may be prescribed by regulation." So 26 is the maximum. They're suggesting that somehow some doctor, with all respect to doctors, knows that you're going to die in, say, 10 weeks. I think that's pretty presumptuous and arrogant, actually. As the living relative of a person who's in imminent possibility of death, I would probably know as much about where they are in the life scheme as the doctor—what their will to live is, what the medication is and how long they've been on it and all that kind of stuff, be able to say, "Gee, they're failing quickly." But if you look at some kind of scale where they wait, or the blood pressure, the attending physician may not have time, and they may not see the same person. If they don't have a family doctor, who is going to be this care provider?

This is a very important part as well, because there must be a certificate issued by a person who is qualified to issue the certificate. We hear regularly in our constituency office about the doctor shortage issue. I can speak at some length on the importance of increasing the scope of practice for nurse practitioner extended class. We've gone a long way to increasing the primary care provider, the nurse practitioner extended class, that they can now prescribe a certain list of medications. They can reference certain tests. They can actually refer to specialists, going around the GP, which is probably making a lot of the GPs unhappy. Nonetheless, how do you deal with these backlogs in a clinical setting in rural and less attractive parts of Ontario?

Going back to this thing here, it says that the person who's entitled to the leave—it's another severe restriction. I put to you that it's in the spirit of—I said originally "all members in the House." Mr Speaker, all members of the House, I believe, support this bill; I really do.

**Mr Shafiq Qaadri (Etobicoke North):** The Speaker's not listening to you, John.

**Mr O'Toole:** Yes, I know. I'm surprised.

**Mr Qaadri:** He tried for a while, but he gave up.

**Mr O'Toole:** I know, but Joe has a short attention span.

I agree with the bill. It falls short of fulfilling the relevant election promises made by the now Premier—surprise. There's no question this legislation comes nowhere close to the kind of blanket universal support system the Liberals talked about during the election—no surprise.

People who are expecting to be able to take compassionate leave when their elderly parent falls and breaks a hip are being told they're wrong. Families who thought mom and dad could stay at home for a couple of weeks with one of their children recovering from an operation have been told they're wrong. The concept that compassion should be extended to any and all families in difficult situations because of serious illness or accident has been abandoned. In fact, they've taken a huge step backwards on the whole election commitment that was made.

The proposed legislation is no longer universal. It no longer covers all serious illness or accidents. It no longer covers the kinds of scenarios we heard about during the more recent election campaign. There's a word there I'm not allowed to use. I suppose we should not be surprised. There were 231 promises. Everyone knows that. I think he promise breaker's club now has about six members in it and there are about 22 very specific promises that have been broken. In fact, there have been a few new commitments just with their very high-priced confidential report on raising taxes, or user fees. It has come to our attention now that even those so-called focus groups, the \$200,000 free focus groups, as was raised by Mr Flaherty today, are a sham. I hate to say that possibly unparliamentary term, but it was used in question period today, so with our indulgence I'm using it.

### 1730

Unlike the vow that was made during the election, Bill 56 and many other promises made by the Liberals were simply bad and/or impossible ideas. This seems to fall clearly right on that line of bad and impossible, because this one-page bill basically has nothing in it. If you haven't read it, then you can't read, because it's only one page. I have read it and it is disappointing. In fact, my speech is longer. It's a bad idea.

The concept of helping families get through the crisis caused by serious health problems is a very good idea, actually. I support it. I think there probably have to be conditions or regulations governing when and under what circumstances but I still come back to the very genesis of this idea.

I meet with the long-term-care providers in my riding. I want to mention them on the record here. At Strathaven, a location that's been in operation for some time, I know of a gentleman who is an eminent sports figure in town. Bill Bagnell is his name. He was there, a resident in the retirement section at Strathaven, for many years. For the most part, his daughter-in-law and son-in-law were very supportive.

Marnwood in Bowmanville is a wonderful location. I was there just a few months ago to celebrate a 100th birthday. It was a real honour. I was invited to address the group, and there were about 25 people in the room. The wonderful lady who was 100, and she's absolutely, completely alert and informed, asked if I'd say a few words. So I spoke. I was bringing greetings from the province, as we all would do. I said, "No one would be the same age as our special guest today. How many people in the room are over 90?" Every single person in the room at Marnwood that day was over 90, and there were about 20 or 25. I said, "OK, that's impressive."

Most of them were very ambulatory, on their own, with it, singing songs and all that stuff. "OK," I said, "how many in the room today are over 95?" Over half the room. So I said, "That's fine. Is there anybody that's 100?" Five people stood up. It's one room in Bowmanville at Marnwood: five people. In fact, the oldest person there—it's been written about in the paper—is 104, I believe. He's as sprite and spry as you couldn't believe. There's a case that each of us as members has a privilege and a duty to go and bring greetings, and not just to Marnwood.

One of the more friendly ones—it is hard to rank them because I'm not qualified to do that, of course—is Fosterbrooke, which is in the town of Newcastle, just a little east of Bowmanville, an older facility with not as large rooms nor perhaps as fancy, but the caring attitude there is remarkable. It is absolutely noticeable when you walk in. I walked in and saw a person there. His name is Charlie Ford. I worked with him at General Motors. He had had a stroke, I gather, and I don't wish to comment on that. I'm just saying that he seemed cheerful and he seemed cared for.

I met another person just next to him, a person who was visiting, and it was the spouse. The spouse comes

there every day, giving care. It's my understanding that the spouse actually retired to provide the care. Here is a very specific case where Bill 56 wouldn't mean anything. Bill 56 wouldn't give them five cents. There's nothing in there to help the groups of people we're talking about. We're talking about people who are in imminent possibility of death. It says in here up to 26 weeks, and it could be lower than that. It could be in the next eight or nine weeks. All they're going to get out of this, Mr Speaker—and you know this, right?—is time off work. Can you imagine? This bill does zip, zip-a-dee-doo-dah.

I want to put it to you this way: We announced a commitment, and that commitment was cancelled by the now government. Greg Sorbara, the Minister of Finance, specifically cancelled this. We had what they called a caregiver tax credit, and there had been a certain allocation. Now, that didn't say that you had to be in imminent risk of death. It could be a child with a lifetime restriction from having a normal life—physical impairment, whatever—and a parent who chooses, through love and caring, to not work. One of the parents stays to become the primary caregiver. That's what we're trying to work out here. We're trying to allow people to help themselves. There's nothing in Bill 56 to help any of those people, because they're not imminently going to die.

So that restriction is absolutely prohibitive, and I know there are a number of doctors in the Liberal caucus who would know. I'm not a doctor, nor do I, at the moment, need one. But what I'm saying here is, they would be hard-pressed, without referring a very ill person to another specialist to do some blood work or have an MRI or a PET scan, which isn't available for nine weeks or so, to determine that the person is going to die. Doctors aren't God. How are they going to figure out that the person's got 26 weeks to live? Are you kidding? They could take a guess. But once you've used the leave, if you read the bill further, you've used the leave; you've had it all. If you make a mistake and take the leave too early, you could lose your job. So this bill really makes sure that you could possibly lose your job. "Sorry, you've had the leave." There's no room for compassion or reasonableness at all.

In fact—I still go back here—the primary thing that I think is missing here is just listening to the hearts and souls of the people of Ontario and giving people their rights and responsibilities. They take time off work to care for their ill child; yes, we should protect their employment status. But if they choose to stay with the parent, you should actually give them the caregiver tax credit. Do the right thing.

I'm going to appeal to Minister Bentley, because this is a Ministry of Labour bill; it should be a health bill. He should reconsider—even though we're opposition, we would forfeit the right—you call it your bill and introduce in your budget on May 18 a caregiver tax credit. I'm putting it on the record today: If you do the right thing, I'll support you.

**Mr Prue:** I listened, as always, with great intent to the member from Durham, although, I have to tell you, he did stray, from time to time, from the central issue. But it was always pleasant, and it was good to hear about his visits to the homes for older citizens and what he learned from them.

When he did speak to the bill, he did make a couple of key points that I'd like to comment on. The first was the difficulty around someone who may have power of attorney for an individual who is not their direct relative or who does not meet the definition here in the bill. Quite clearly, if you know what the contents of a power of attorney for personal care says—and I had not thought of it until he raised this issue—the power of attorney for personal care mandates the person who has that power of attorney to do all things necessary for the person under care. He or she is, in fact, the person who is responsible. He or she may not be the son or the daughter. They may not be the spouse. They may not be the child of the person for whom they have the power of attorney. But they are vested with and they have the faith of the person to do all things necessary.

It would appear to me to be fairly logical that a power of attorney, even though they may not meet the definition, should be someone who would be included. Now, there is a provision in section 4, "or other persons prescribed." I would like this to be discussed, because many people do not have relatives, but they do have someone they trust to look after them in times of ill health, to look after their money or to look after a number of things that can be done under power of attorney. I think it is an idea that is worth exploring.

1740

**Mr Tim Peterson (Mississauga South):** It's a pleasure to rise and talk about Bill 56 today because it affirms a greater strategy of our party to reaffirm family values and to allow those family values, in their own way, to have a greater role in our lives.

Although this bill talks about employees being able to take eight weeks off, one could easily imagine that most of this caregiving done in the later stages of a person's life or when they are the sickest will be done by a family member, if not several family members as they come together. We have all been part of experiences where families don't always function as well and as closely as they could because of the pressures of time, the speed of change, and distances. Yet we all know also that the greatest strengths and part of the greatest things we've experienced in life are those we've learned from our families.

As we go forward in life, I think it will be a wonderful benefit for all that we can come together as families around a loved one who is not well, not only to communicate with that person in his last days but also to communicate with each other and to understand and reconcile any differences that may exist. I suggest that that process in itself will help to strengthen family values and will teach the healthy younger generation the continuity of life, the values of life, which are so important to

the ongoing stability of society and the ongoing values that we, as Liberals, preach in our province.

It is with great pleasure that I stand today to support Bill 56.

**Mr Barrett:** The member for Durham has covered much of the waterfront on this medical leave bill. He knows of what he speaks. He's indicated he is one of the more senior legislators in this House—a mentor, if you will, for some of us. He's a former PA to health and did a significant amount of work with respect to e-health, distance health, telemedicine—the kind of technological advances that mean an awful lot to people in northern Ontario, the far north. There's obviously a great potential for usage and diagnosis by distance in much of rural Ontario. The member for Durham has done a lot to inform other MPPs and make them aware of the potential for this kind of technology.

The member raised the issue of time of death. There is concern here with this bill—a flaw or a contradiction, if you will, between the eight-week time limit that was just mentioned for being granted compassionate leave and the 16-week time estimate of the potential death of a family member. In order to qualify for this program, a doctor must have an estimate of when a family member is likely to die within 26 weeks. I think that would be a very tough call. At best, that would be a rough estimate. Medicine is science but not necessarily an exact one. I think that point alone merits further discussion and analysis.

#### **The Acting Speaker:** Response?

**Mr O'Toole:** I'd like to thank the members from Beaches-East York and Mississauga South, as well as Haldimand-Norfolk-Brant.

The member from Haldimand-Norfolk-Brant went on to say that we all contribute to the various files we're asked to work on here and they are to our advantage. But I think some of the comments made weren't specific in response to the comments I made, which is really what the two-minute hits are about. The member from Mississauga South missed that. I'll send him a copy of my remarks, so he will know.

I just want to put on the record here to thank, in a public forum like this, the members of Hospice Durham. As the member from Pickering-Ajax-Uxbridge would now, last year was a trying year for Hospice Durham. Cheryl MacLeod is an administrator there, one of the few full-time people. The rest are about 200 volunteers. These are people who provide support, and companionship I suppose, and family support in a broader sense, to those persons who have just experienced, or are in the process of experiencing, death.

Jenny Walhout, whom I know personally, was awarded the Caldwell award last year for her work in hospices in Ontario. Respite services in Durham is another. This is where parents and primary caregivers get respite. It's absolutely critical for families dealing with lifelong conditions of their children or spouse, a stroke or other things. So I put on the record my thanks to the quality of care that they give to other people.

I don't find anything in the bill here. I will be supporting it because it's very high-level; there's not much detail, there's no money specifically. Its intent is well founded. So I'll be supporting it, but it doesn't go far enough.

**Mr Tony C. Wong (Markham):** I'm happy today to speak in support of Bill 56, the Employment Standards Amendment Act. I'll be sharing my time with the member from Etobicoke North.

I will start with my own riding, Markham, the high-tech capital of Canada. Earlier this week, I spoke about the 150th anniversary of the village of Unionville. Unionville is definitely a jewel of the province of Ontario. There are many other jewels, such as the art gallery in memory of Fred Varley—a distinguished artist, being a member of the Group of Seven; the Markham Theatre; the Markham museum, and so on. Markham has won the Prince of Wales Award in recognition of its protection of the environment and the conservation of our heritage.

That is why Markham is such an attractive place for many businesses. This is a vibrant town with many corporate centres, such as IBM, ATI, Geac, American Express, Lucent Technologies, Sun Microsystems, Liberty Health, Motorola, Allstate Insurance, etc. Many of these companies do have a policy in place, or collective agreements, that deal with aspects that Bill 56 is dealing with. But I want to point out that there are about 1,000 high-tech companies in Markham, and we all know how fierce competition is in respect to the technology sector. The employers absolutely need the full concentration and dedication of their employees to succeed, not just their bodies to be there. How much attention can an employee who is constantly worrying about a dying relative contribute to their job? On the other hand, if they're dealing with machinery, how dangerous can the situation become?

I also want to talk about the aspect of small businesses, because amongst the 1,000 high-tech businesses, and actually many thousands of others, there is a huge proportion of small businesses, and they do need a level playing field. I will talk about that aspect a little later on.

I want to talk about new immigrants. We have always said that in Canada we welcome all new immigrants from every part of the world with open arms. We've also said that Ontario considers diversity to be an asset. But it's an open secret—maybe not even a secret—that many immigrants—well-qualified professionals in their own field, be it engineering, technology, medicine or education—have found it extremely difficult to find employment in this country.

#### 1750

For some of them, who are fortunate enough to get a job, what do you think they will do if one of their close relatives should become gravely ill, at the risk of dying? They will be forced to choose between their job and taking care of their dying relative, of course. It is difficult for many others who have lived in this province for a period of time to make that decision, and this is no less devastating for those who are struggling to make it in a

new environment and trying their hardest to put food on the table for their families. This is unconscionable.

Let me tell you that even after this legislation has been put in place, there will still be a number of them not wanting to obtain that family medical leave, for fear, rightly or wrongly, that it would still impact on their employment in a negative manner. This is how bad the situation is. Many of you simply don't understand, although you may think you do.

Let me talk about small businesses. In the Liberal platform we promised to convert the Red Tape Commission into an agency specifically devoted to help small businesses and devoted to meet the needs of them.

I want to talk about the initiatives that our government has undertaken to help small businesses, and I'm referring to the announcement that the Minister of Training, Colleges and Universities made just weeks ago and also about the investments in education and health care and the recognition of overseas qualifications, and, of course, there are more to come.

Earlier this year, I was appointed by the Honourable Joe Cordiano, Minister of Economic Development and Trade, to lead a project to deal with this aspect of how we can help small businesses grow. I have gone to various cities to meet with stakeholders in Toronto, of course—right here at Queen's Park—but also in Ottawa, Windsor, Sudbury, and Thunder Bay to get their input. There are many challenges for these small businesses that want to grow to the next level, including regulatory burden, access to capital and financing, access to information, skilled labour, etc. But it is important for us to recognize that skilled labour is really something that stands up.

On the face of it, this may seem to pose a challenge for small businesses because they have only a very small number of employees, and when something like this happens, meaning that they might lose an employee for a period of time, they have less resources to deal with it. But you know what? Employees who are able to take leave for gravely ill family members tend to return to their workplaces better able to do a better job, and they are likely to be more loyal to their employer.

Studies have shown that about 25% of working Canadians experience high levels of caregiver strain, much of this coming from the difficulties of balancing their work life with the demands for caring for seriously ill loved ones. A recent study of cancer patients showed that more than 40% of family members of patients surveyed had to quit work to care for them. This is, of course, not beneficial to employees; it is also not beneficial to employers.

I have spoken about the level playing field that is absolutely necessary for small businesses because I think it is essential for employers to comply with the same code and the same system of requirements so that they will be treating their employees fairly, and the employees will also receive the same benefits on a fair and equal basis.

I also want to talk about what constitutes an important piece of legislation. It has been insinuated and expressed quite directly that just because this is maybe a companion

piece of legislation, it is not an important piece. The member from Niagara Centre said that this is not offensive. With all due respect, this is much more than inoffensive; this is a piece of legislation that is not trivial or unimportant just because it is maybe short, it doesn't have a numerous pages or just because it happens to be a piece of companion legislation to that of another order of government.

Let me talk about shared responsibility, because it is important to support our residents at the beginning of life, but equally important to be there for families at the end of the lives of their loved ones. They did not choose to be put in that sad and often devastating situation, and this is the very least the government and their employers can do to help.

One of the dreadful choices many of our citizens are facing is choosing between their jobs and caring for a dying family member. This is not a choice a compassionate society asks people to make.

I also want to say that this is a responsibility that we, as a society, have accepted as a shared responsibility. The very fact that we, the Liberal government, pay so much attention and place such emphasis on this aspect is reflective of the direction we will be going in on a forward-going basis.

I submit that a piece of legislation is important when it speaks to the conscience of our society, making it a caring and compassionate one, when it imposes an obligation on all of us to help those who are thrown into such an impossible and unfortunate situation and to share that responsibility, and when it defines the kind of people we want and choose to be. Bill 56 certainly satisfies that test, and I'm proud to support it.

**The Acting Speaker:** Pursuant to standing order 37, the question that this House do now adjourn is deemed to have been made.

## ADJOURNMENT DEBATE

### CITIZENS' DIALOGUE ON BUDGET STRATEGY

**The Acting Speaker (Mr Joseph N. Tascona):** The member for Oak Ridges has given notice of dissatisfaction with the answer to the question given yesterday on the citizens' dialogue on budget strategy by the Acting Premier. The member has up to five minutes to debate the matter, and the minister or parliamentary assistant may reply for up to five minutes.

**Mr Frank Klees (Oak Ridges):** I'm pleased to have this opportunity to see what we can do to press the government for a response to what I consider to be a very serious question.

We have had extensive discussions in the House this past week, particularly about the exercise the government has entered into that they refer to as consultation. In responses to my question to the Deputy Premier, the

Minister of Education, this past week relating to this consultation, I pointed out that there are some 12 million people in Ontario who heard this government's commitment during the election campaign that there would be no increase in taxes. It is clearly on the record that the members of this government believe that user fees are very much a tax, and so what we were trying to do was to get some indication from the government that they would in fact commit that there would be no increase in taxes in his coming budget.

The Minister of Education, in his response to me, continued to refer to the consultation, and he said, "We're not afraid of what the people have to say...." He went on to say, "This government," and again I'm quoting, "once it has listened, will take action."

I found that interesting, and I'm sure the people of this province will take the Minister of Education, who was speaking on behalf of the Premier, very seriously. They obviously have listened to some people. They have hanged their entire election platform in response to 250 elected people who told them that they can break promises, that they can increase taxes, despite all of their commitments throughout the election campaign.

So my question then to the Minister of Education, who was speaking on behalf of the Premier, was very straightforward. I said, if you in fact commit that you're listening to the people of Ontario, I would like then to put this challenge to the Deputy Premier: If, in fact, he is not afraid to listen to the people of Ontario, how many thousands of signatures on a "Recall Dalton McGuinty" petition will it take to have him listen and respond to that request?

**800**

Speaker, you were here. That question was not answered. There was a dribble response relating to smoke and mirrors, which we've been getting in this House for the last six months. In fact, it's come to the point where people who are watching the proceedings in this House aren't even expecting an answer from the government. They know that straightforward questions that we put in question period are simply ignored. Every minister has briefing documents, and there isn't an answer that we have been able to determine in the last six months.

For that reason, I exercised my privileges as a member and requested that we give the Premier one more opportunity to answer that simple question: If in fact you are responsive to the input of Ontarians, how many signatures will it take on a "Recall Dalton McGuinty" petition for Dalton McGuinty to actually respond to that? How many people in Ontario will have to sign a petition expressing their absolute distrust for this government and its Premier? How many signatures will it take?

I'm going to ask, Speaker, that you listen very carefully to the response we're about to get, and people who are observing this, I want you to listen carefully to the response we're going to get. I suggest to you that if they're consistent, we'll not get a response here today either.

**The Acting Speaker:** The Chair recognizes the parliamentary assistant to the Premier, the member from Etobicoke-Lakeshore.

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** As the member should certainly know, there is no recall legislation in Ontario and no capacity to recall in our current system of government. In Ontario, governments are called to account for their actions on election day. The citizens in this province spoke loud and clear on October 2, because they recalled all too well what transpired during the long and dark years that the member opposite and his colleagues were in government.

Citizens in this province support the direction our government is taking under the leadership of Premier McGuinty, because they know the positive steps our government is taking to fix the problems that your government has left behind. I want to spend a few minutes talking to you about some of those problems and some of those solutions.

With respect to education, citizens in Ontario recall that your government raised tuition by 137%, and they support the steps taken by our government to freeze college and university tuition for two years. Again, citizens of Ontario recall that your government put half a million children in classes of 26 or more, and they support the steps we are taking with respect to reducing class sizes. Ontarians recall that the government oversaw a system where barely half of the students reached provincial standards. Now they support our positive steps, where we're placing lead teachers and specially trained teachers in literacy in the classroom. Citizens of Ontario recall that your government left schools struggling, unable to help students achieve. They support our position to send turnaround teams into struggling schools. Maybe you don't want to hear it, but citizens of Ontario recall that your government treated teachers like punching bags, whereas our government is treating teachers with the professional respect they deserve.

On health care, citizens in this province recall that your government pushed privatization, whereas our government is banning pay-your-way-to-the-front-of-the-line health care. Citizens in Ontario recall that you left our hospitals understaffed, whereas we have invested \$50 million in Ontario hospitals. Citizens in Ontario recall that your government left people helpless.

I know the member opposite doesn't want to hear what the citizens of Ontario think, because rather than consulting with them, rather than talking to them over the last number of years, they paid the whiz kids to talk about issues after the fact. In fact, even the member opposite commented on the role of whiz kids in the former government when he said, "In my opinion, it was probably one of the worst election campaigns I've ever experienced in my life. I believe Ernie Eves was scripted right out of office by a campaign team that was disconnected from the people of this province."

We are very proud of the steps we are taking to ensure that we remain connected to the people in this province. We're very proud to go out and talk to the people in this

province about their ideas, get their suggestions and work with them. It was \$200,000 well spent to connect with Ontarians and talk to them about their values, their dreams for the future, and to work with them to establish strong foundations for the future. We are not going to spend a billion dollars after the fact and send many brochures to each of their homes with partisan advertising.

Now let's talk about what your government did with respect to prosperity issues. You'll recall that you were part of a government, and the citizens of Ontario will certainly recall this, that pretended the deficit didn't exist. They're proud to now have a government and a Premier that's willing to give them the straight goods and acknowledge that the deficit exists and that tough decisions need to be made. We're happy to respond to the people of this province.

Let's talk about other issues that people have raised with us when I've had the opportunity to be part of the extensive consultations. They recall that your government gutted rent control, whereas our government has ended the two per cent automatic rent increase. They also recall, and raised with us, that your government fired water inspectors. We're hiring them. With respect to a stronger democracy, something that perhaps you don't want to talk about, they certainly recall that your government listened to backroom boys and whiz kids rather than to them.

They are very pleased to have a government and support our government, as we are willing to work with them, listen to them, consult with them and be connected with the citizens of this province. We'll be happy to be called to account on the next election day and see that they continue to support us.

**Mr John O'Toole (Durham):** On a point of order, Speaker—

**The Acting Speaker:** There are no points of order during an adjournment debate.

## TRUCKING INDUSTRY

**The Acting Speaker (Mr Joseph N. Tascona):** The member for Oak Ridges has given notice of dissatisfaction with the answer given today to the question on the Ontario Trucking Association by the Minister of Transportation. The member has up to five minutes to debate the matter, and the minister may reply for up to five minutes.

**Mr Frank Klees (Oak Ridges):** I understand from the Clerk that this is indeed a historical occasion, that never before has there been a double billing for late shows. What it simply shows, as I mentioned earlier, is the inability of members opposite, cabinet ministers, to answer questions. Either they're not briefed or they're simply so tightly scripted that they're not prepared to actually give the truth in this place.

Having said that, I'd like to address the issue of the Minister of Transportation. I raised this question earlier this week. It related to meetings that were going on between federal and provincial staff of ministries of

transportation. It related to the pending proclamation of the Motor Vehicle Transport Act.

Here's the issue: Ontario can boast, and rightfully so, that we have the safest highways in North America. That didn't come easily. That came as a result of very strong legislation, incredibly tight regulations, and very high safety standards generally, and specifically for the trucking industry. The federal legislation under discussion now that is pending proclamation in January threatens to lower those standards because, while they're trying to achieve a uniform standard across Canada, it will prevent Ontario from enforcing any regulation, any safety issues, at the Ontario standard for trucks that are domiciled outside of Ontario.

I don't think the Minister of Transportation fully understood that at the time I put the question, because in his reply he very clearly stated that his ministry would insist on the Ontario standards being maintained in that regulation.

### 1810

I put the question to him again this afternoon, because I wanted to give him one more opportunity to clarify and to commit to the trucking industry of Ontario that his officials would stand firm on the commitment that any proclamation of regulations or legislation relating to truck safety would in fact not compromise the Ontario standards. I asked him a very specific question: Would the minister commit to putting in writing, in a letter to the Ontario Trucking Association, a clear commitment that he would instruct his officials not to support proclamation of that federal legislation unless the safety standards were brought up to the Ontario standards?

The minister replied with a non-answer, so I appealed, under my privileges as a member, to give the minister one more opportunity to demonstrate to the House that, first of all, he understands the implication to safety in Ontario, and, second, that he understands the implication to the competitiveness of our trucking industry in Ontario. The trucking industry in this province, which employs thousands of people, cannot be competitive if they are competing against trucking companies that can do business in Ontario but don't have to live up to those high standards.

I'm asking the minister to stand in his place and take the opportunity, which he did not do this afternoon and did not do earlier in the week, and commit to just one thing. I want to caution the minister that I've advised stakeholders that this discussion is taking place. They will be looking to you, sir, for a commitment within the next few minutes here that you will in fact, in writing to the Ontario Trucking Association, make the commitment that I have asked you to make. You're an honourable member. I look to hear that commitment from you now.

**The Acting Speaker:** The Minister of Transportation in reply.

**Hon Harinder S. Takhar (Minister of Transportation):** Mr Speaker, first I want to tell you that I'm delighted to be back here after 6 o'clock at the insistence of the honourable member from Oak Ridges. I am really

enjoying that. At least there is not much noise in the House, so I can answer it properly.

Let me get some of the facts out of the way first. The legislation that was introduced in the House of Commons last year in fact went through third reading when his government was in power. His government didn't do anything at all to protect the interests of the truckers in his province. The honourable member for Oak Ridges was the Minister of Transportation. He didn't even send one single letter, either to the federal government, the provincial governments or to any truckers to protect the interests of the truckers. Those are the facts.

Let me tell you what we have done. I understand the trucking industry because I was involved in it. The trucking industry is very close and very near and dear to my heart, so we want to protect the interests of the truckers. But the issue here is this: The honourable member has asked me to put it in writing to the truckers' association, but I'm going to do better than that.

The first thing we did—their government didn't do anything at all—was arrange a meeting with our federal counterparts, and they were there at the table this week because of us.

The second thing is, I have instructed my staff very clearly that our highest standards need to be maintained, and we will continue to negotiate with the federal government and with our provincial counterparts to make sure of that. We know that the competitiveness of the industry is important and we'll continue that.

The situation right now is that there is a continuous dialogue going on between the provincial and federal governments and our province. We will be fighting for this, and I will stand up for that. When the Council of Ministers' meeting is called, I will make it very clear that those standards should be maintained. I also want to assure the member opposite that in Ontario our safety standards will still apply. It doesn't matter where the carrier is situated, in Ontario we'll still continue to inspect them to Ontario standards and inform them, if necessary, if they don't meet the safety standards of Ontario.

**The Acting Speaker:** Thank you. There being no further matter to debate, I deem the motion to adjourn to be carried. This House stands adjourned until Monday at 1:30 pm.

*The House adjourned at 1815.*

## ERRATUM

No.	Page	Column	Line	Should read:
39	1817	1	10	on a “Recall Dalton McGuinty” petition will it take to

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**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Speaker / Président: Hon / L'hon Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

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Renfrew-Nipissing-Pembroke	Yakabuski, John (PC)	Whitby-Ajax	<b>Arnott, Ted</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Sarnia-Lambton	Di Cocco, Caroline (L)	Willowdale	Flaherty, Jim (PC)
Sault Ste Marie	Oraziotti, David (L)	Windsor West / -Ouest	Zimmer, David (L)
Scarborough Centre / -Centre	Duguid, Brad (L)	Windsor-St Clair	<b>Pupatello, Hon / L'hon Sandra</b> (L) Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre délégué à la Condition féminine
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Scarborough-Rouge River	<b>Curling, Hon / L'hon Alvin</b> (L) Speaker / Président	York West / -Ouest	<b>Cordiano, Hon / L'hon Joseph</b> (L) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Simcoe North / -Nord	Dunlop, Garfield (PC)		Sergio, Mario (L)
Simcoe-Grey	Wilson, Jim (PC)		
St Catharines	<b>Bradley, Hon / L'hon James J.</b> (L) Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
St Paul's	<b>Bryant, Hon / L'hon Michael</b> (L) Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		
Stoney Creek	Mossop, Jennifer F. (L)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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No. 41A



Nº 41A

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 3 May 2004

Lundi 3 mai 2004

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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Published by the Legislative Assembly of Ontario



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Téléphone, 416-325-7400 ; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario

## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 3 May 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 3 mai 2004

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### ONTARIO POLICE MEMORIAL

**Mr Garfield Dunlop (Simcoe North):** Yesterday I had the honour of attending the ceremony of remembrance held at the Ontario Police Memorial here at Queen's Park. The names of Constable Philip Shrive of the Renfrew OPP and Constable John Flagg of the Kingston OPP, were added to the wall of honour. Both of these officers lost their lives in the line of duty in the year 2003.

There were four officers from the 1920s whose names were added as well: Evariste Laframboise, from Essex county; William McGillivray, of the Toronto department of highways; Andrew McKay, of the Newmarket department of highways; and Fred Bingley, of the Hagersville department of highways.

There are 231 names of police officers who lost their lives in the line of duty on the wall of honour. I'd like to thank the Ontario Police Memorial Foundation, under the leadership of president Richard Houston and his board of directors, for the excellent work they do in organizing the ceremony of remembrance.

I was pleased to see Chief Julian Fantino of the Toronto Police Service attend the ceremony as well. I would like to compliment Chief Fantino, who has shown incredible leadership during difficult times for his police service. I'd also like to extend the support of our caucus to the Toronto Police Service and the Toronto Police Services Board for the professionalism they have shown over the past few months and during these very difficult times. We thank all police officers, past and present, for making Ontario a province of law and order and for keeping our citizens safe and secure.

#### NORTH BAY CHIEF OF POLICE

**Ms Monique M. Smith (Nipissing):** Today I rise to acknowledge the service of a great citizen of North Bay. On Friday 30 April, Chief George Berrigan officially retired as the chief of police of the North Bay police department. Chief Berrigan has served our community for 15 years as chief and 32 years on our police force. He leaves behind an incredible legacy.

We were fortunate enough to have Chief Julian Fantino, of the Toronto police department, speak at the change-of-command ceremony. He too noted that this was a momentous occasion for our community and spoke eloquently on policing in Ontario. I'd like to thank the chief of police for Toronto for coming to North Bay for our occasion.

Chief George Berrigan is being replaced by our new chief of police, Paul Cook. Paul is a 22-year veteran of the North Bay police force and has been deputy chief of the force since 1999.

I was privileged enough to attend Chief Berrigan's retirement party on Thursday, where hundreds of residents and police officers from North Bay and the surrounding area attended to celebrate Chief Berrigan's outstanding career.

I want to take this opportunity to wish him and his wife, Liz, a very happy retirement as he begins that retirement today. As well, I would like to wish our new chief of police, Paul Cook, and our new deputy chief, Al Jackson, all the best as they take on their new responsibilities. I have had the opportunity to work with Chief Paul Cook in the past and I know we will continue to have an excellent relationship.

Mr Speaker, I thank you for the opportunity to acknowledge these two outstanding citizens in our community, and I'd like to take this opportunity today to say to George Berrigan: Happy first day of retirement.

#### WATER QUALITY

**Mr Norm Miller (Parry Sound-Muskoka):** I rise today to share a letter I recently received from a small rural church in my riding of Parry Sound-Muskoka that serves 40 to 45 families year-round. They have just been told about water regulation 170/03. The church has already installed a UV light and filtration system, and the water is checked monthly for coliform and E coli. The results have always been 0/0.

The church was advised that the initial cost to comply with the regulation would be a minimum of \$6,100, as well as ongoing costs for maintenance. The testing alone will be \$15 a week. The church is already struggling to meet its financial obligations, and the additional burden of water testing will make it extremely difficult to keep their doors open. Is this really the intent of the water regulations? Surely not.

This church is not alone. I have heard from campgrounds, community centres, daycare centres and other small businesses on this issue. Last week, I attended the

Parry Sound Municipal Association meeting and heard from many others. Many small businesses in my beautiful riding of Parry Sound-Muskoka run their own water systems and will be hit hard by these new regulations. Justice O'Connor recommended that the province provide financial support where approved systems are not economically viable for owners. To date, there has been no commitment from the Minister of the Environment to assist rural communities. I encourage the Minister of the Environment to delay enforcement of regulation 170/03 until appropriate funding can be provided.

#### SAUGEEN CHILDREN'S CHORUS

**Mrs Carol Mitchell (Huron-Bruce):** On the first day of May, young voices were heard in song throughout Ontario. It was my pleasure to attend a concert given by Saugeen Children's Chorus in Kincardine on Saturday night. In Kincardine and other communities throughout Ontario, young people were singing together in unison.

Saugeen Children's Chorus is comprised of 33 children, and they are led by director Henriette Blom. Saugeen Children's Chorus is a part of the Ontario Sings program, and their mission statement is to enhance the cultural, social and economic well-being of communities in Ontario through the magic of youth choral singing. The group is comprised of both boys and girls, ages nine through 18. The group was formed 18 years ago and has toured Europe. During the month of May, they will travel to Montreal to perform with four other children's choirs.

Singing in a choir not only provides pleasure in itself, but the positive impact certainly has been noted by the children. Choral singers are far more likely to be involved in charity work and are more aware of other people's experiences throughout life. They believe their singing is a way of giving back to their communities.

I wish to congratulate these young people and all those involved with Ontario Sings, especially the Saugeen Children's Chorus. It was a wonderful evening.

#### ASSISTANCE FOR THE DISABLED

**Mr Michael Prue (Beaches-East York):** This last week, we saw a whole group of people who arrived from various parts of the province, including some who had walked all the way from Sarnia, to protest our treatment of the disabled.

We know that the disabled are amongst the poorest in our province. We know that many of them subsist on a meagre \$930 a month with which to feed and clothe and house themselves. We know that they have not had a raise in eight years. And we know that they are limited, where they are able to find some form of employment, to only a paltry \$160 of extra money that they might earn. We know that that is compounded by a lack of affordable housing and that the social agencies that serve many of them also have not had any raises in years and years and years.

Against that backdrop, we can only say we are thankful today for the very meagre and small announcement

being made federally and provincially for some \$20 million to help get the disabled into the workforce. That is, though, a very small amount of money to the some 90,000 to 100,000 people in this province who are disabled, many of whom are in receipt of ODSP.

There are other things this government should be doing. We should be passing a real Ontarians with Disabilities Act, we should put real teeth into the building code, we should allow earnings of up to \$600 a month for those who are able to work and we should of course increase the amount of money to people who have not had a raise for eight years.

1340

#### SOUTH ASIAN HERITAGE MONTH

**Mr Vic Dhillon (Brampton West-Mississauga):** I rise today to inform all members of the House that May is South Asian Heritage Month. The month of May is significant because it was on May 5, 1838, that the first South Asian immigrants arrived in our wonderful country.

The first South Asians to set foot on Canadian soil were Sikh soldiers serving in the British army. The Sikh lancers and infantry travelled by train from Montreal to Vancouver on their way back to India, after taking part in the Diamond Jubilee celebrations of Queen Victoria in 1897.

While most South Asians came to Canada directly from Asia, many came from places such as Kenya, South Africa, Singapore, Fiji, the United Kingdom, Trinidad and Tobago, Guyana and many other countries.

Today, South Asians make up approximately 7% of Ontario's population and are proud to draw upon their heritage and traditions while contributing to many aspects of culture, commerce and public service across our province.

Ontario's South Asian community provides a living social, political and economic link between our province and many countries around the world. It is my privilege and honour as a South Asian to join with all members in recognizing May as South Asian Heritage Month. It is my hope that we use this opportunity to enhance our understanding and appreciation of our rich culture, heritage and traditions as we work toward making Ontario and Canada the best places in the world to live, work and raise our families.

#### WATER QUALITY

**Mr John O'Toole (Durham):** I'm pleased to rise in the House to discuss the concerns of many volunteers in my riding of Durham. These good citizens keep our community halls, arenas, churches and other facilities in the area operating. Community groups are concerned over meeting the new regulations on maintaining and supplying water to these buildings. Regulation 170/03 requires community facilities on private wells to meet new guidelines on treating water and maintaining their private water supplies.

A number of issues have been drawn to my attention by my constituents, including Glenn Larmer of Blackstock, Jim Ambrose of Zion United Church, Jane Smith of Tyrone, and Paul McIntyre of Maple Grove United Church, just to name a few.

Complying with regulation 170/03 will mean major expenses for community organizations. I am advised that one church in my riding has an estimate of \$5,000 to provide the water treatment system necessary to meet the new regulation, plus another \$3,000 annually to maintain and monitor the system. Some of these quotes have been much higher. This is but one example of the challenges occurring in villages and hamlets across Durham riding and in many parts of Ontario not served by municipal water supplies.

There are several issues the volunteers want to raise. First, they want to point out that there have not been previous complaints with respect to water supplies for which they are responsible. They've had tests with no adverse effects. Second, they note that they face costs that are very much higher for volunteer organizations, with no assistance.

Churches, community halls and arenas are the heart and soul of communities across my riding of Durham and Ontario. They are generally maintained and operated by volunteers who take pride in ensuring that these buildings meet the health standards. It may be that Ontario needs to meet with these groups to seek alternatives. I ask the minister to pay attention and to slow down on the regulation.

#### PEEL REGION SCIENCE FAIR

**Mr Bob Delaney (Mississauga West):** As this is Education Week in Ontario, I'm pleased to make this statement about the April 15 Peel Region Science Fair held at the University of Toronto, Mississauga campus. The science fair showcased the work of students from schools throughout Peel region. The student projects spanned the physical, mathematical, environmental, life, health and applied sciences. The topics ranged from purifying proteins in search of diabetes biomarkers to determining the optimal conditions for curling hair.

Each year, more than 250,000 students in Ontario compete in local science and technology fairs. Only the best projects from each region are able to move on. This year, Peel region will send six winners to join the other regional winners and represent Ontario at the Canada-wide science fair to be held in St John's, Newfoundland.

I extend the Legislature's thanks to all the teachers from across Peel region who spent months working with and encouraging the students. Building science awareness and skills are the seeds of our scientific future here in Ontario. Those seeds are germinating in the minds of this young generation of scientists, engineers and technologists.

Thanks to the committee members, especially Margaret Ramsay, for organizing a successful fair. Six students will represent Peel region, and we all hope

Canada's winning entry will come from Team Ontario. I know they will make Ontario proud.

#### COMMON SENSE REVOLUTION

**Mr Robert W. Runciman (Leeds-Grenville):** I'm happy to rise in the House and point out an important anniversary to the people of this province and to many of the members here today. It was on this day 10 years ago in the Harbour Castle hotel in Toronto that the then leader of the third party, Mike Harris, launched what would become the most important economic document in this province in the past 50 years: the Common Sense Revolution.

In front of our caucus, about 200 well-wishers and the assembled Queen's Park media, Mike unveiled our party's road to election. It promised to create 750,000 new jobs, to lower people's personal income taxes by 30% and to balance the provincial budget, all within our first four years in office.

I'll quote from Bill Walker of the Toronto Star from that day:

"Under a sweeping economic blueprint to be unveiled today, the Tory leader says his 'Common Sense Revolution' would perform radical surgery on Ontario's fiscal policy to create jobs through reliance on the private sector rather than government."

What's more, the Common Sense Revolution said that not only would we make those promises to Ontarians but also we would keep them once we were in office.

We ushered in a new era in Ontario politics which established a benchmark for governments across Canada and throughout North America that lower taxes and controlled spending create a strong economic climate. We achieved the goals we set out for the people. We saw over 750,000 jobs created in our first term, we cut personal income tax by more than 30% and we balanced the budget. We did all that while inheriting a deficit from the NDP of almost—

**The Speaker (Hon Alvin Curling):** Thank you.

#### MOTIONS

#### HOUSE SITTINGS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move government notice of motion 64:

That, pursuant to standing order 9(c)(ii), the House shall meet from 6:45 pm to 12 midnight on Monday, May 3, 2004, for the purpose of considering government business.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion, say "aye."

All those against?

I think the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1348 to 1353.*

**The Speaker:** Mr Duncan has moved government motion number 64. All those in favour, please rise to be counted.

#### Ayes

Arthurs, Wayne	Fonseca, Peter	Peterson, Tim
Baird, John R.	Gerritsen, John	Phillips, Gerry
Bartolucci, Rick	Gravelle, Michael	Pupatello, Sandra
Bentley, Christopher	Hoy, Pat	Qaadi, Shafiq
Berardinetti, Lorenzo	Hudak, Tim	Racco, Mario G.
Bountrogianni, Marie	Jeffrey, Linda	Ramal, Khalil
Broten, Laurel C.	Kennedy, Gerard	Ramsay, David
Brown, Michael A.	Lalonde, Jean-Marc	Rinaldi, Lou
Brownell, Jim	Leal, Jeff	Runciman, Robert W.
Bryant, Michael	Levac, Dave	Ruprecht, Tony
Cansfield, Donna H.	Marsales, Judy	Sandals, Liz
Caplan, David	Martinuk, Gerry	Scott, Laurie
Chambers, Mary Anne V.	Matthews, Deborah	Sergio, Mario
Chudleigh, Ted	Mauro, Bill	Smith, Monique
Colle, Mike	McNeely, Phil	Takhar, Harinder S.
Cordiano, Joseph	Meilleur, Madeleine	Tascona, Joseph N.
Craitor, Kim	Miller, Norm	Van Bommel, Maria
Crozier, Bruce	Milloy, John	Watson, Jim
Delaney, Bob	Mitchell, Carol	Witmer, Elizabeth
Di Cocco, Caroline	Mossop, Jennifer F.	Wong, Tony C.
Dombrowsky, Leona	O'Toole, John	Wynne, Kathleen O.
Duguid, Brad	Oraziotti, David	Yakabuski, John
Duncan, Dwight	Parsons, Ernie	Zimmer, David
Dunlop, Garfield	Patten, Richard	
Flaherty, Jim	Peters, Steve	

**The Speaker:** All those against, please rise.

#### Nays

Hampton, Howard	Marchese, Rosario	Prue, Michael
Kormos, Peter	Martel, Shelley	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 73; the nays are 5.

**The Speaker:** I declare the motion carried.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### EDUCATION REFORM

**Hon Gerard Kennedy (Minister of Education):** I rise today in the House, as we begin Education Week around the province, to elaborate on the government's plan for public education. Premier Dalton McGuinty has clearly stated that he is committed to making improvements in public education a centrepiece in our government's mandate. We know that if we get public education right, we get the best citizens and the best workforce, as strong a society as possible, and the most prosperous economy.

But Ontario hasn't been getting it right, not for many years now. We have had a good public education system in this province, but we've let it slide.

**Mr John R. Baird (Nepean-Carleton):** The former government did bad. You guys did good.

**Hon Mr Kennedy:** The member opposite agrees. We've let it slide to the point where many families are choosing private schools over public education. The number of children attending private schools in this province has increased by 40% in the last eight years.

We have let it slide to the point where a steady number of young people either drop out of school or decide to stop learning; 50% of the kids in grade 9 in 1999 are predicted to either not graduate or to stop their education immediately after grade 12. Some will return to school later, but the fact remains that half of them get out of school as soon as they can or as soon as high school is over. That simply isn't acceptable in the world that Ontarians have to compete in today.

Last year—and the member opposite knows this full well—Ontarians told us to stop the slide in public education. What is at stake over the next four years, we believe, is the future of public education. Quite frankly, our parents and our grandparents did a better job of ensuring that their children had the education they needed for their times. Speaking as a member of a generation who had education handed to them on a silver platter, I believe that in turn, unfortunately, we have taken education for granted. That has to stop here and today.

I am asking all the members of this Legislature and all Ontarians to join us in rising to meet the challenge before us. Here is what success for students means to the McGuinty government:

It starts with the simple idea that every student can learn.

Every student should come to school ready to learn.

Every student should learn in a school that is properly funded and in good repair.

Every student should be able to read, write, do math and comprehend at a high level by the age of 12 as the necessary foundation for later educational and social choices.

Every student should have significant exposure to music and the arts.

Every student should enjoy regular physical activity, appreciate a healthy lifestyle and have access to a full range of extracurricular activities.

Every student should be safe and feel safe in the school and in the schoolyard.

Every student should receive a positive outcome from publicly funded education, whether that be an apprenticeship, a job placement that teaches real skills, or admission to college or university.

Every student should reach the highest level of achievement that his or her ability and willingness to work hard will permit.

Every student should know, finally, how to think for himself or herself, appreciate the rights and obligations of good citizenship and learn about character values.

Getting there, realizing these goals, will take leadership, unrelenting commitment, time and sacrifice.

1400

What I want to say from this government is that those are not simply parts of a far-off vision for us. Those are

action steps that have to be taken in our schools, and each one will be attended by a very specific strategy which will engage many members of this House.

We know, as we stand here today in Education Week, that it can be done. There are people elsewhere who might say these things are too difficult, but we say it's happening right now in a number of communities, in a number of schools, with the commitment of parents, teachers and the education support workers we have in place. They're overcoming a lot of barriers from the last few years. But it is not happening where it needs to be, which is in every single school in every community across this province.

Excellence in education, to mean anything, has to be for all the students in the province if we are to move ahead. Where do we start? We begin at a critical junction in a child's life, at the age of 12. If, by age 12, students become convinced that they cannot read, write, do math and comprehend at a high level, they're starting to decide whether or not school is for them. They're thinking that dropping out might be the cool thing to do, that it might be the only thing to do, because by that time they've become frustrated. They sit there on the precipice of adulthood, they're leaving childhood behind, and if they haven't had a positive education experience, if we're not prepared to invest our energy to see that that happens, then life decisions are slipping away from them—not just for academics, but we know increasingly in a social and job sense as well it's being determined right there before they themselves can truly comprehend it.

There was a StatsCan study released last month which concluded that teens who begin high school with weaker literacy skills are less likely to complete high school. It may be stating the obvious, but here is a legacy item associated with the last number of years that all people have to contend with.

Dr Alan King, who was engaged three years ago by the previous government, tells us that not 25%, but likely 30%, of those students who began grade 9 in Ontario in 1999, the double-cohort year—and all of us were so concerned that the double-cohort get into college or university. It didn't seem to be well planned for, that those kids would miss out, and left behind are a large number of students who didn't even get their diplomas; there are 40,000 to 48,000 kids in Ontario today who are predicted not to have a high school diploma.

**Mr Baird:** You'll just give them one.

**Hon Mr Kennedy:** Meanwhile, 60% of all new jobs are going to require some form of post-secondary education.

I hear the member opposite make fun of that; I hear the member make light of that. I say to him that we're going to do everything possible to help these teenagers succeed. We're going to do that with much intervention and assistance to recognize that these kids are not standard. It was possible for a previous government and a previous cabinet to sit there and receive the two previous King reports and not respond. But truly, as much as we want these better outcomes for those students, those

selfsame students who are struggling out there now and some, sadly, who may yet come behind them, the best way to help all of our students is to ensure a high level of literacy and numeracy at an earlier age, at age 12. This means more than the basic ability to read, write and do arithmetic. It means a growing capacity, through the elementary and secondary years, to understand information from a variety of sources and interpret it across a variety of disciplines. Our goal is to ensure that every student in Ontario is able to do this by age 12.

The province-wide test results for 2002-03 revealed that 50% of grade 3 students met the standards for reading, just 56% met the standard for writing, and 57% for math. In grade 6, the results indicate that 56% were at the provincial standard for reading, 53% for writing, and the same 53% for math. Almost half of our students are not meeting the standard. While much was done in the past—in fact, 200 million taxpayer dollars were spent by a previous government to measure performance—very little, almost nothing, was done to help students to be better at that performance. We say that we are committed to fulfill our duty to help all of our students to do better. And we, unlike previous governments, are going to measure our progress. We say that by 2008, 75% of students will reach that provincial standard in province-wide reading, writing and math.

Unlocking the potential of our children and our youth means unlocking the potential of the education system and everyone in it. Here are some of the main elements of our plan to do just that:

We will reduce class sizes in the early years, from junior kindergarten to grade 3.

We are committed to a cap on class size of 20 students by the end of the government's mandate.

We will be announcing the details of our plan to cap class sizes later this month, and we will begin working to reduce class sizes in Ontario this September.

Strong development in the early years is crucial. To get to the goal we have of endowing an education advantage on kids by the time they're 12, we have to be working at the earliest age possible. We will amend the curriculum to put a focus on reading, writing and math at a high level. We'll include a dedicated literacy hour and math time each day to provide the necessary learning intensity.

For the first time, every elementary school will have four specially trained JK to grade 6 lead teachers, two each in literacy and numeracy. They will be skilled in the best practices and the most effective techniques, and have time available to assist other teachers. These lead teachers will be available in all 4,000 elementary schools beginning this fall.

We have already launched a pilot project in April in Toronto that will see 10,000 struggling students in grades 1 to 5 get extra help from tutors before school, during lunch and after school. These very same students will also, for the first time, have an opportunity to attend literacy and numeracy camps in the summer so they can retain what they have gained from the extra help they are getting.

Earlier we provided every board in this province in this school year its share of \$112 million in new resources to help children who were struggling the most. When we find an innovation that works anywhere in this province to help our students do better, we will make it available to every school and school board.

There is, as well, going to be a new relationship between boards and schools and government. Educators will be free to share ideas instead of shuffling paper, as they were too often asked to do in the past. Starting in the next school year, we will use test scores and real knowledge of the individual challenges that schools face to target resources on results, so that schools with a high percentage of low-income or English-as-a-second-language families are well served instead of being scapegoated. We will send turnaround teams of experts to struggling schools and give principals the tools they need to work together.

We are creating a new Ontario literacy and numeracy secretariat that will ensure that schools, teachers and, most importantly, students are getting the supports they need when they need them. We are setting up the literacy and numeracy secretariat this month in the Ministry of Education.

We will provide parents with additional resources to encourage and support early reading at home, and we will create an atmosphere of peace and stability in our schools. But we can only achieve what we want to achieve—what we must achieve—in terms of the goals we have set before us if we find the capacity in this province to work together.

As the Premier stated in his remarks last week, there are now three new Rs in education in Ontario: respect, responsibility and results. We will unabashedly, without apology, respect principals, teachers, education workers and trustees and the work they do on behalf of our children.

This government will assume its responsibility to lead. If things are not working, you will get a new education minister. You won't get somebody new to blame instead, as you did in the past. We can, and will, working together with our schools, parents and students, produce results. Results, as Dr Rozanski points out, cost money. There will be increased funding in the upcoming budget and in the budgets that follow, because education is a top priority for our government, for our economy and for our society.

We took the first step when this government kept its promise to cancel the private school tax credit. We ensured that millions of dollars that should be invested in public schools were not sent to private schools instead. We know, however, that much more needs to be done. We want to persuade parents that publicly funded education is the best education in every way for their children. Our job is to make the case for public education day in and day out, to make every week in Ontario Education Week, to make every week in the next four years one where education receives our focused attention.

Together we can bestow a real education advantage on our kids. And I say to all Ontarians: Your public educa-

tion needs—demands—your support. It is our duty, not just in this House as legislators, but as parents, grandparents and ordinary citizens.

**1410**

In this province, in this country, we define people not by where they came from but by where they're going, and education is what helps them get there. That has taken too much difficulty in recent years. I say to this House, let's seize what is a critical juncture in our history, a time when we recognize a problem and when the capacity is there to do something about it. Public education may be on the line, but on this side of the House we recognize the responsibility to respond.

We ask everyone in the House who hasn't done so to visit your local school and, better yet, to get involved in its success. We say to the people out there, seize this chance. It may be one of our last chances to shape the society we want and the good citizens and skilled workers that we want our children to be. We do this by making public education the best education, by dedicating ourselves to success for every one of our students.

The public education that we know deep down is needed in Ontario today, that will be as good a preparation for our students, for our youth, as anywhere in the world, is ours in this House to deliver in the years coming up.

**Mr Jim Flaherty (Whitby-Ajax):** [Inaudible] The questions were great too. They were asking about public life and politics. Unfortunately, some of the questions were about broken promises and integrity. It was one of the few times I was pleased to be in opposition, because I didn't have to answer those questions on behalf of the government, specifically the broken promises with respect to education.

Education is, to the opposition, about parents and students in our schools. It isn't about big government. It isn't about big school boards. It isn't about large unions either, whether they're teachers' unions or other unions. We brought in important reforms that were necessary in Ontario dealing with curriculum, dealing with standards—standards for teachers' continuing learning, standards for students in the province of Ontario, and a standardized report card. The reason for these reforms was that it was necessary so our young people would have the opportunities and be prepared for the opportunities that are going to come their way in this great province of Ontario. The report card in particular was important to parents, so that parents would know how their children are doing in the schools and take remedial action when required.

Now we're six months into a new government—a government that promised peace and stability in the schools, a government that promised they would help children with special needs the most—and this morning we have a strike in our provincial schools by 240 teachers responsible for teaching some of the most vulnerable people in the province of Ontario. So much for that commitment from the Liberal government to the people of Ontario.

So much for the commitment with respect to continuing education, the professional learning program for teachers. This Minister of Education got up in December—there's no legislation before the House, by the way, but he has said, I guess, that there will be legislation—and said that he would discontinue the professional learning program for teachers. What profession in the province of Ontario does not have a continuing education program? Engineers, lawyers, physicians—everyone is responsible for staying up to date. We live in a learning society. Of course we want our teachers to continue their education throughout their teaching career, and most teachers do. The concern, of course, is with the relatively small percentage of teachers who do not. It should not be a question of roulette, with parents having to guess which teachers have had continuing education, which ones have stayed up to date. The people of Ontario, the parents and the students, are entitled to be assured that all teachers are continuing with their professional learning programs, not to mention the waste of the cancellation of the program—about \$600,000 at least in lost leasing costs alone.

The Premier says he stakes his reputation on education. The people of Ontario want to try to save his reputation. They don't want him to waste \$1.63 billion on a dumb hard cap for K through grade 3. It takes away discretion from principals. The Liberals said in the election campaign that you would listen.

*Interjection.*

**Mr Flaherty:** Mr Bartolucci knows; he was a principal. Why don't you listen to the principals across the province of Ontario, who will say, "We need discretion in the local schools"? Why do you try to run the education system from Queen's Park? Why don't you run it in the local schools? Let the principals have the say that they need, the discretion that they need in Ontario, and to use all of that money—\$1.63 billion; that's the amount of money we need to implement the Rozanski report.

That was another promise, that they would implement the Rozanski report. But no, they're going to use the \$1.6 billion for a dumb hard cap, which will mean split classes; it will mean children back out in the schoolyard in portables. It will mean the money won't be there for the Rozanski reforms; it won't be there for the higher grades. The money won't be there for literacy training, numeracy training, and computer skills that our young people need. Those are important for parents and teachers across the province of Ontario, all of those literacy issues.

In today's world, education isn't something off in a corner. Education is absolutely fundamental for the future of the province of Ontario. Our young people need those opportunities. They don't need ideology with hard caps and teachers' unions. What they need is a commitment to parents and their children and education in the province of Ontario.

**Mr Rosario Marchese (Trinity-Spadina):** It appears to me that the Minister of Education always appears to be defining the problem or redefining the problem and gives

the sense that he is constantly in opposition and not in government. I want to review some of the things that he is not doing to let the public know that I don't believe they are meeting the challenge that they're putting to Ontarians.

First of all, boards are in the dark. Students and teachers and boards have been waiting for months to hear about funding so they can plan for the following year, and they still don't have a clue what they're going to get or when they're going to get it. It'll be late in May when the boards have a sense of what they are going to get, instead of months ago so that they could properly plan.

Number two, I remember this minister talking about kids at risk and fighting the loss of youth counsellors at the Toronto Board of Education, youth counsellors who dealt with kids who were in trouble. They are gone. Haven't heard a word from this minister about whether or not he's going to replace the youth counsellors, those who deal with kids at risk: the ones who would be leaving school, the ones who would be in trouble of surviving their academic years.

I remember this minister talking about curriculum casualties and how kids could not wait. When in opposition, he believed strongly that thousands of students were dropping out like flies and that we needed to act immediately to deal with the curriculum casualties. We have him in government; we haven't heard a peep about how he is going to deal with those curriculum casualties. Not yet, at least, but maybe it's coming.

We haven't heard about Dr Rozanski, why the minister mentions Dr Rozanski in passing and says, "Yes, we need to inject funding," but there's no mention of commitment to Rozanski or the implementation of Rozanski.

*Interjection.*

**Mr Marchese:** The minister nods and says "Yes." Well, I didn't hear him say anything about it.

We know there are \$674 million in catch-up money to make up for seven years without increases to cover inflation; \$375 million to cover the backlog in maintenance and repairs to school buildings; updates in funding to cover inflation since 2002; a further \$48 million for English as a second language; a further \$19 million for special education in secondary schools; \$42 million for textbooks and classroom supplies; a new funding formula for transportation, including \$40 million in new funding and a separate funding policy for the transportation of special education students—not a peep about that.

Let's go further. School closures: A couple of months ago, the minister says, he had imposed a moratorium on closures. Lo and behold, we are hearing that schools are closing and/or will be closed. So much for the moratorium that this minister has imposed.

We're talking about the loss of education assistants—

*Interjections.*

**Mr Marchese:** —listen to this, Jen; this is for you as well—the loss of education assistants, the loss of librarians, the need for guidance counsellors, caretaker numbers that have been halved by the previous government, the need for art and music teachers—not a peep from this

government about how they're going to replace those vital, essential teacher services. Not a peep. And the funding formula: God bless, maybe it's coming at the end of May, but I haven't heard a thing from this minister about that.

1420

I went to the Premier's remarks on school capping. I didn't hear a commitment from the Premier saying that classes will be capped in grade 3, grade 2 or grade 1 starting this September. What we heard is this: They're going to reduce class size. My feeling is they're going to reduce class sizes in some of the schools where there are inordinate numbers of students in some classes, and that's the extent of what we're going to get for this coming September. "And in the following years," this government says, "we are committed to capping." I can't wait to see whether that commitment is coming, because I don't think it is.

The Premier also said that people are going to have to make sacrifices. "We're going to put more money in education"—we don't even know what that means—"and we're going to have to take some money from other programs." No new money, and he said he's going to take money from other programs and put it in education. We don't even know what we're going to get for education.

I've got to tell you, Premier and minister, I am profoundly worried about all this blah, blah, blah that we're getting from you—feel-good politics and that's all we're getting. I celebrate Education Week. I celebrate the educators for the work they do, the real heroes in our school system, yes. But your statement today, Mr Sorbara and company and others, gives me nothing to celebrate.

### SEXUAL ASSAULT PREVENTION MONTH

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Speaker: I believe we have unanimous consent for all parties to speak for up to five minutes to recognize Sexual Assault Prevention Month.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent? Agreed.

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** May is Sexual Assault Prevention Month in Ontario. Ontario first declared Sexual Assault Prevention Month in 1988. Sixteen years later we still recognize Sexual Assault Prevention Month in this month of May. Sixteen years later sexual violence is still a serious problem in our society and still dramatically changes the lives of girls and women who are victimized by this crime. Sixteen years later we are still not speaking openly about this in our communities. And that's why this year's theme, Sexual Violence: Let's Talk About It, focuses on public education and promoting dialogue. It's why I stand here before you today with regard to this critical issue.

Sexual violence has long been shrouded in secrecy. It's an uncomfortable topic of discussion but, simply put, we must talk about it. We must take responsibility for addressing this issue in all the ways that we can, in all the ridings that we come from. We must educate ourselves and those around us about sexual violence, examine societal attitudes, and challenge the assumptions and myths about sexual violence. We have to speak out against this problem. It's only when we start to talk about it that we can start working on solutions. By talking about it we can educate ourselves and others and put to bed these myths about sexual violence, focusing on the facts—facts, frankly, that should inspire action; facts that are both astounding and appalling.

More than one-third of Canadian women report that they have experienced sexual violence. An estimated 572,000 women in Canada are sexually assaulted in one year alone. That's more than one per minute. Young women are at the highest risk of sexual violence. Women are more than twice as likely to be sexually assaulted by someone they know than by a stranger. According to a StatsCan survey, fewer than 10% of sexual assaults are reported to police. We can only imagine what the levels truly are.

These statistics are shocking. Many are speechless when they hear about these numbers, and yet we must talk about them if we're going to try to put an end to all forms of sexual violence. Raising awareness of violence against women is a priority for the McGuinty government. Sexual violence has no place in our communities and no place in our homes. We have to work together to stop it from happening.

On April 6, we took, as a government, some dramatic steps forward in announcing steps to reduce violence against women. Our first steps on domestic violence include \$3.5 million for second-stage housing that supports women and children escaping abusive relationships; a pilot project to train police officers, crown attorneys and others working in the criminal justice system to better assess the risks for abusive situations; almost \$5 million in a four-year public education and awareness campaign, targeting children and youth, that's aimed at mobilizing communities across Ontario to break the cycle of violence; and a provincial conference on domestic violence that will allow community leaders, experts and service providers to share their best practices. These early actions are just the first initiatives to be implemented as part of our longer-term multi-ministry approach to a domestic violence plan.

In addition, as part of its education efforts on violence against women prevention, the Ontario Women's Directorate has a popular Web portal for youth. It includes a resource on sexual violence called "Let's Talk About It." It provides teens with a wealth of information on sexual violence, including tips on prevention and whom to call for help. The portal also includes a resource for teens on sexual harassment called "Harassment Hurts."

Sexual violence is preventable. It doesn't have to be the fate of so many women and girls. That's why part of

our large public education campaign will focus on healthy relationships, so we can break that cycle. By talking about sexual violence—getting teens, parents in our communities and people talking to each other—we can create this positive shift in thinking. Through this public education campaign about healthy relationships, we can help to create and maintain a society where sexual violence has no place, and through campaigns such as Sexual Assault Prevention Month, we're doing more than just talking about sexual violence; we're going to do something about it.

I'd like to draw your attention to another important initiative that also coincides with Sexual Assault Prevention Month: the Daisy of Hope campaign. It was started in 1999 by Brantford's Nova Vita Women's Services and is dedicated to ending violence in Ontario. It also promotes violence-free living. May I please ask the House for permission so all of us may don our daisy symbolizing the Daisy of Hope campaign?

**The Speaker:** The minister has asked for unanimous consent to wear this tag. Agreed? Agreed.

Responses?

**Ms Laurie Scott (Haliburton-Victoria-Brock):** Sexual Assault Prevention Month has been recognized in Ontario since 1988. It's a way to create public awareness of sexual assault and improve the prevention of violence against women.

Statistics show that women between the ages of 12 and 24 are at a greater risk of sexual assault than any other age group. Only a small percentage of sexual assaults are reported to police, and in approximately 70% of reported cases the victim knew the assailant. These findings are troubling. They suggest that before adulthood, many women may experience sexual assault and many will likely suffer in silence. This is simply unacceptable.

The consequences and cost of this violence to women themselves, to their children and to our economies in terms of medical, psychological and economic impacts are high: an estimated \$4.2 billion.

Our government was committed to helping prevent domestic violence and made substantial improvements to Ontario's system of supports for victims. The Eves-Harris government committed more resources to address violence against women since taking office than any previous government; in fact, expenditures have increased by about 70% since 1995.

One year ago, our government announced its commitment to victims of domestic violence with more than \$1.2 million in funding for Sheltersnet, an innovative Web site that links women to shelters across Canada, providing information to women seeking to leave abusive relationships. Supporting Sheltersnet was part of our government's comprehensive approach that focuses on protection and prosecution, support for victims, and prevention and education.

On September 5, 2002, our government announced \$21.4 million in new initiatives over three years to support victims and hold abusers accountable, another

important step forward in our government's approach to addressing domestic violence in Ontario.

Violence against women is unacceptable. Let's hope that the new Liberal government is as serious about being tough on crime as our government.

1430

**Ms Shelley Martel (Nickel Belt):** On behalf of the New Democratic Party, it's a privilege for me to stand today to acknowledge that May is Sexual Assault Prevention Month. It gives all of us an opportunity to reflect on some very shocking statistics involving sexual assaults, some of which you've heard, and I'll repeat them again: 38% of women were assaulted by their partners; 93% of sexual assault victims never report the assaults to the police; 50% of females, and 38% of children, have experienced at least one unwanted sexual act.

On this day, we should also have some renewed resolve to get to the bottom of this very serious issue of sexual assault and take the steps that government must to eliminate these vicious crimes. In that regard, I believe the Liberal government must do some of the following:

(1) Restore the 5% cut to sexual assault centres implemented by the Conservative government in 1995.

(2) Implement all the recommendations from the Arlene May and Gillian Hadley coroner's inquests. In that regard, let me deal with three:

First, you could provide counselling for child witnesses within the shelter system.

Second, you could model all new women's and children's services based on existing models, like shelters.

Third, you could do what Provincial Auditor recommended in 1998, when he reviewed the violence-against-women program in the Ministry of Community and Social Services.

He said the following about a full review of the shelter system: "The 1998 coroner's report on the inquest into the deaths of Arlene May and Randy Iles recommended that the ministry review its funding for shelters for abused women and their children. In 1999, in response to the coroner's recommendation, the ministry indicated that assuming the municipal share of per diems and block funding shelters after January 1, 1998, was sufficient to address the recommendation. However, based on our work, it is clear that the ministry's current method of funding does not ensure appropriate and equitable funding for shelters that is linked to an assessed level of demand and to services provided in the respective communities."

The auditor went on to say that a full review of shelter funding was desperately needed because it was clear that the ministry, through its funding, could not even provide enough funding to ensure that core services were being provided in shelters across the province. The auditor said in his report: "Prior to 1995, the ministry defined the core services to be provided by VAW shelters as: shelter and safety; crisis intervention, counselling and support to women and their children; administration; children's support worker; emergency transportation; and crisis

telephone services." These were the core services shelters were supposed to deliver.

I quote from the report: "Although the ministry is still committed to the provision of these core services, the ministry acknowledges that due to funding constraints, some shelters may not be able to provide all of them any more ... the ministry has no method in place to determine to what extent these services were or were not being provided."

That's why during the committee's deliberations I recommended that we have the ministry provide a full review of the shelter system and the shelter subsidy, but I couldn't get the majority of the government to agree to that at the time. The best I could do was to get two recommendations approved. It said the following: "That the ministry define the core services that all shelters must provide and ensure that they are adequately funded.... That the ministry develop a policy to clarify the services a shelter does and does not offer in consultation with OAITH." I say to the minister and the government, a full review of funding for shelters is needed now, more than ever before, and you should undertake it.

(3) We need to appropriately fund women's services and women's community services. We know that most women will never use the court system because they don't want to be victimized twice. OAITH, in a very powerful report that it released a couple of years ago, called *Ten Years from Montreal: Still Working for Change*, pointed out how many women will never use the court system.

If you want to help women and children flee from abuse, you need to support community-based women's organizations. You need to, for example, fund the equivalent of at least one additional women's direct service community support worker and one additional child and youth support worker in each shelter. That recommendation came out of OAITH's reports.

This government needs to fund affordable housing. This government needs to have a livable minimum wage so women and children can flee from their abusers. There is a lot of work to be done. I look to the budget to see that response.

## ORAL QUESTIONS

### PUBLIC SECTOR COMPENSATION

**Mr Jim Flaherty (Whitby-Ajax):** My question is for the Acting Premier. According to your government's Economic Outlook and Fiscal Review, revenue is projected to increase by \$4.1 billion annually going forward, but the cost of your promises far exceeds this sum. The hard class cap alone is \$1.63 billion. More teachers, more teacher-librarians, child care assistants, expanding MRIs, CTs, all of these various promises—you've already spent in excess of \$3 billion of new money in the province of Ontario.

You know that 80% of the revenue is transferred. The operating expense of government is transferred to transfer agencies, and 70% of that goes for salaries, wages and human resource costs. The Premier himself has said, "I'm asking our public sector partners to be reasonable and responsible at the bargaining table."

In your Economic Outlook, you said the only sustainable approach is to keep spending in line with income. Now, I'm assuming there's a government plan here. My question is: What is your plan to handle public sector wages in Ontario?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I'll refer that to the Minister of Finance.

**Hon Greg Sorbara (Minister of Finance):** Let's begin with something that we're not going to do. We are not, under any circumstances, ever going to consider the funding of private schools in the way in which that gentleman did when he was finance minister, I tell my friend from Whitby-Ajax.

He suggests, quite rightly, that about 75% to 80% of all the revenues that we take in as a government goes through the government in the form of salaries and wages for the hard-working women and men within the Ontario government and within the broader public sector that delivers services as wide-ranging as health care facilities or environmental controls in the far part of the north. I simply say to him that we do have a plan to be able to finance the services that we committed to, and those plans will be more detailed in the budget. I invite him to be here on May 18.

**Mr Flaherty:** I won't get into the exaggeration by the government of the cost of the private school tax credit. They're about 20 degrees off on that.

It was not a rhetorical question, though, and I say to the Minister of Finance, I didn't expect a rhetorical answer. It's quite a serious question.

When you say you're going to balance the budget, when you promise the people of Ontario you're going to balance the budget, and when most of the operating funds go for public sector salaries and wages in the province, when you know that and you say, Minister of Finance, the Honourable Greg Sorbara, which you said in your economic statement just a few months ago, "So we are asking our partners in health care, in education and in the rest of the broader public sector to temper their requests for more," and when the Premier talks about it and when we hear from some hospitals that they are being asked to hold down their expenses to 1% to 1.5%, that tells us that your plan will lead to wage controls in the province of Ontario.

What is your plan? Come clean with the people of Ontario. How are we going to balance the budget with public sector wages?

**Hon Mr Sorbara:** That sounds to me a little bit like scaremongering, if you want to know the truth. I stand behind the statements I made in the fall economic statement. We have sent a message to all those who share in the tax revenues that we are looking toward moderation.

My friend the Chair of Management Board has said on a number of occasions that we will honour the collective bargaining process, and I want to tell my friend from Whitby-Ajax that I do not take his question as a rhetorical question. I understand where he's coming from, and I simply want to tell him that we are prepared to enter into those negotiations as contracts become open for negotiation.

**Mr Flaherty:** You've been the Minister of Finance for more than six months now. You know the financial situation in the province of Ontario. You know that there has to be restraint, but you go and negotiate a collective agreement with the community college teachers that, in effect, is in excess of 4% per annum. You know that the economy in the province is not predicted to grow at anywhere near that. What that says to the people of Ontario is that you are intentionally running a deficit this year, that you are not going to address the serious issue of restraint.

You are sending a message. What is the message that you are sending? What is the plan so that you can keep your promise to balance the budget in Ontario?

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**Hon Mr Sorbara:** I want to tell my friend, in terms of messages, that our message will not be the unrealistic, unfunded, nonsensical message that that party brought to the people of Ontario on October 2. I want to say to him, yes, I have been Minister of Finance for more than six months now and I understand the financial circumstances that this province finds itself in. I understand that those circumstances arise from eight years of what I described back then as mismanagement and misrepresentation. It's our job to turn that around now.

**Mr Robert W. Runciman (Leeds-Grenville):** On a point of order, Mr Speaker: I think there was a word that was quite unparliamentary in that response.

**The Speaker (Hon Alvin Curling):** If you find it unparliamentary, would you withdraw?

**Hon Mr Sorbara:** Certainly if there was anything unparliamentary, I would withdraw that, sir.

#### REPORT ON CAMPAIGN COMMITMENTS

**Mr John R. Baird (Nepean-Carleton):** My question is to the Acting Premier. Since coming to office six short months ago, you have done three things. First, you've broken nearly every campaign promise you made. Second, you've brought in the biggest tax increase in Ontario history. Third, you've announced \$3 billion in increased and new spending for the province of Ontario. The real source of Ontario's fiscal woes is you and your government and the reckless campaign promises that you made to get elected.

The officials at the Ministry of Finance—non-partisan, hard-working public servants—have costed out your campaign promises and your campaign commitments. They've produced a 60-page report which details just how much these commitments and these promises will

cost. Will you now admit that you've got to release this report, or would you stand in your place and explain to this House what you have to hide in not releasing this 60-page report? Will you do that, Acting Premier?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I refer that to the finance minister.

**Hon Greg Sorbara (Minister of Finance):** I simply tell my friend, I have not seen the report. I'm not interested in the report. What I'm interested in is, starting in our budget that we will present on May 18—don't you dare miss it; be here—we are going to start to repair some of the damage that was done to this province over the course of the past eight years.

I refer, my friend, to the damage in terms of our revenue base—eroded beyond belief. The expenditures in the last years of their administration were taking off like a rocket. That was not good public administration. That had to come to an end. It came to an end on October 2. Now, with the budget that we present, we are going to put ourselves on the road to financial health again.

**Mr Baird:** I say to the Minister of Finance of this 60-page report that he and his team refuse to release, if he hasn't seen it, it's violating some of the arguments that his lawyers are making right now in judicial proceedings for the opposition's attempt to get that report. That 60-page report, prepared by public servants, details the real expense of his party's election campaign promises, where they were reckless and crazy and saying anything to get elected. You, sir, are making legal representations and representatives of you personally are saying that this is a cabinet document. Your Premier says he hasn't seen it. Now we learn today that you haven't seen it.

If you haven't seen it, how can you possibly argue that it should be immune from the light of sunshine? How can you possibly argue that all members of this House aren't entitled to find out what's in this report and that it might be the real source of Ontario's fiscal woes? It details how much you intended to spend and how much you are responsible—

#### *Interjections.*

**Hon Mr Sorbara:** I simply told my blustery friend that I personally have not seen the report. I will tell him that there is a process that is well established and is to be respected, and that process will unfold. But the fact is that that document, whatever is in it, does not deal with the situation that we inherited on October 2: a deficit that rose to a breathtaking \$5.6 billion in the final year of their administration and about \$2.2 billion in additional risks in that year. I simply tell my friend that the process will be respected. The important document that he should pay attention to is the budget that we will present in this Legislature on May 18, and I invite him to attend.

**Mr Baird:** I say to the minister opposite, the process that should be respected is our access-to-information laws where this report has been deemed to be a public document and should be available to all members of the Legislature and to every single taxpayer in the province of Ontario. The reason we have a deficit in Ontario this coming year is because you and your government made

reckless and irresponsible promises to the people of the province of Ontario. Since you've been elected, all you've done—

*Interjections.*

**The Speaker (Hon Alvin Curling): Order.**

**Mr Baird:** The only thing you and your government have done since being elected is hide that 60-page report and raise taxes.

The worst tax increase that you instituted in your financial statement was your commitment to abolish the capital tax cut. Would you now admit that your plan to reintroduce capital taxes in the province of Ontario is devastating to—

**The Speaker:** Thank you.

*Interjections.*

**The Speaker:** Order.

**Hon Mr Sorbara:** This stretches credibility even for my friend from Nepean-Carleton, whose blustery methods hide the fact that what he's suggesting in this Legislature has no basis in fact.

I want to tell him, as calmly as I can, that the report that he is talking about was prepared by civil servants under the direction of the previous administration. It is up to the privacy commissioner to determine whether or not it is appropriate to release, not me. We're going to respect that process, and I invite my friend from Nepean-Carleton to respect it as well.

## ELECTRICITY SECTOR REFORMS

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Energy. Last Friday, Brascan's chief executive officer—Brascan is a private power company—said that he wants to buy more of Ontario Power Generation's publicly owned hydro generating stations, and he indicated that he believes you are willing to sell.

I understand why Brascan is so eager to buy. The former Conservative government practically gave away the four hydro generating stations on the Mississagi River, stations that produce electricity for half a cent a kilowatt hour; then Brascan sells it for 5.7 cents a kilowatt hour, 10 times what it costs. It's a great deal for Brascan, a terrible deal—

*Interjections.*

**The Speaker (Hon Alvin Curling): Order.** The member for Nepean-Carleton, I would like to hear the member for Kenora-Rainy River. You keep shouting across.

The member for Kenora-Rainy River.

**Mr Hampton:** That was a great deal for Brascan, but a terrible deal for Ontario electricity consumers. Minister, will you confirm today that you will not sell any hydro generating stations to Brascan or any other private power company?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** We will not sell off assets like the Tories did. We will also not jump into the harmful policies of the Tories and the NDP. Our government is taking a balanced approach to energy policy, unlike the

NDP, who insisted on cancelling all demand management-side programs.

We believe the reforms we've brought forward in the electricity sector are the right steps, taking a balanced approach to ensure that there is an adequate supply of reliable hydroelectricity available to all Ontario consumers.

We already launched an RFP last week for 300 megawatts of renewable energy, the first time in Ontario's history, and soon we'll be launching an RFP for 2,500 megawatts of new electricity in this province to help address the problem that was left by previous governments.

1450

**Mr Hampton:** It was an easy, simple question: Will the minister say definitively that the Liberal government will not sell off any hydro generating stations to private power producers? During the election campaign, your Premier said he believed in public power. Well, Brascan has come calling, and I'm asking you, what's the answer? Will you rule out the further sale of any hydro generating stations to Brascan and other private power producers? Whose side are you on: more money for Brascan, or ensuring affordable power for consumers? What's the answer, Minister?

**Hon Mr Duncan:** The member can't take yes for an answer. We won't sell off assets the way the Tories did.

But let's see what this member had to say in other contexts. Who said, "There will be important roles for the private sector to play in the future of our electricity system, as there always have been"? Howie Hampton said that. Who said, "I'm not ideologically opposed to private power any more than I'm opposed to private restaurants, clothing stores or car dealerships"? Howie Hampton said that, and he published it in his book.

Who said, "Hydro is still too big and bureaucratic, and I'm sure could be made more efficient by injecting market principles deeper into the bowels of its organization. How to do that without imperilling quality, reliability and public accountability is a great challenge. Simplistic, ideological solutions are to be avoided at all costs"? That was Bob Rae, not Ernie Eves.

That member and his policies were rejected by the people of Ontario last fall. Dalton McGuinty and his government are taking reasonable steps to ensure that adequate, fair and affordable electricity is available for all Ontarians.

**The Speaker:** New question.

## EMPLOYER HEALTH TAX

**Mr Howard Hampton (Kenora-Rainy River):** I think we know the answer: There are more sales of hydro generating stations coming.

My question is for the Minister of Finance. Last week, an Ontario court decided that Mike Harris's secret tax break for wealthy sports companies was OK. If you allow Mike Harris's secret tax break to stand, it means an immediate loss for our health care system of at least \$15

million, and it means that other sports teams like the Toronto Roadrunners, the Hamilton Bulldogs and other corporations will be lining up to scheme about getting out of paying the employer health tax. Will you bring in legislation immediately that will put an end to Mike Harris's secret tax break for his corporate friends?

**Hon Greg Sorbara (Minister of Finance):** Actually I appreciate the question from my friend from Kenora-Rainy River, because it gives me an opportunity to say in this House that, as a matter of policy, this government believes and will insist that the employer health tax be paid by all professional athletes in Ontario, working for teams such as the Toronto Blue Jays. That's our policy. That's the policy of the government.

We are looking at the decision, and we are considering the possibility of appealing that decision. We are looking at the loophole that has been created by the decision of Mr Justice Ted Matlow, and we are looking at the advisability of bringing forward legislation. I can tell you we're looking at a variety of different mechanisms, but the policy is clear: That tax will apply to those players.

**Mr Hampton:** If the policy is clear, then it seems to me that all it would require is about a three-word amendment. As you know, this decision turned on the definition of a permanent establishment. All you need to do is present legislation in this House that says that a baseball stadium in Texas, a hockey rink in Carolina or a basketball court in New York City is not a permanent establishment in terms of the employer health tax. I tell you, Minister, that if you want to bring in that legislation, New Democrats will pass it today.

I don't see why you have to go backwards and forwards on this. Are you going to bring in legislation? Are you going to send a clear and swift message not only to professional sports teams but also to other corporations that this is not on and demonstrate that message with clear legislation now?

**Hon Mr Sorbara:** My goodness, when it comes to taxes, how the leader of the New Democratic Party loves to run to the front of the line. I'm just not sure what part of "Yes, we are going to proceed" he doesn't like in my first answer.

We're looking at the decision. One model might be to appeal the decision, have the decision reversed, and then the matter will be cleared up for all time. Another approach, as he suggests, is to bring forward legislation, and we're looking at that option as well.

All I can tell him is that we will not be moved by his puffery and his demand that we do so today. We have time to deal with this.

#### EDUCATION LABOUR DISPUTE

**Mr Jim Flaherty (Whitby-Ajax):** My question is for the Minister of Education, and it's about broken promises and vulnerable students in Ontario. The promise made in education, among others, was, "We will bring peace and stability to our schools." That was by Mr McGuinty and the Liberals in the last election. Mr Kennedy, the current

Minister of Education, said on May 3, "Ontario students and the public education system as a whole deserve to have as much peace and stability as we can provide."

They've been the government for six months, and in the first test we have of this peace and stability, the most vulnerable students in Ontario, in the only schools actually directly administered by the Minister of Education, are out of school today. There is a labour disruption; there is a strike by 240 teachers who teach deaf, blind and deaf-blind students in the province. I'm asking the minister to explain to those students and their parents why this promise of peace and stability was broken with the most vulnerable students in Ontario.

**Hon Gerard Kennedy (Minister of Education):** I would say first of all, about the situation in this province, that we'll do everything we can to ensure peace and stability. We are not the party of the social contract or the party of Bill 160. We let local bargaining take place. We did find, for example, a way to make sure the process worked better than it did under your government, quite frankly, in order to ensure that a lockout was cancelled and sanctions were lifted in Windsor today. Kids are in school in Windsor today.

I know that my colleague the Chair of Management Board, who is responsible for these negotiations, will similarly apply the same principles of fairness to ensure there is bargaining, and also any reasonable effort this government can make to ensure this different environment actually comes about. We are cluttered by some of the old rules and attitudes that the previous government engendered, but there will be a different day in education and students are indeed, in all cases, being put first.

**Mr Flaherty:** Actions speak louder than words. This is the first test, and the Minister of Education and his government have failed it. They made another promise too when they went to the people of Ontario and asked for their votes. It was this: "We will help children who need help the most—those with special needs"—deaf, blind and deaf-blind children in provincially administered schools.

You can blame Management Board if you want, Minister of Education. You took the responsibility to help children with special needs in particular in Ontario. The chair of the negotiating team said, "For all their talk about education as this government's first priority, they had the opportunity to deliver this weekend and failed to do so. It is with regret and frustration that these dedicated teachers begin job action today."

Explain to those teachers, those vulnerable students and those parents why you broke a second promise, the promise to the special-needs students of the province, and what you're going to do to fix it.

**Hon Mr Kennedy:** I understand that today there likely will be some frustration on the part of the people involved in this particular discussion. But even the most frustrated teacher in this local of the Ontario secondary school association will not mistake what is said by the member of the House for genuine concern for the public teachers in this province. They will understand the difference.

We have an unfortunate situation that emerged this morning in our provincial schools. The deaf, the blind-deaf, the severely disabled kids, are in school today and the member opposite should not infer otherwise. There is a tremendous amount of commitment and concern for the staff in the schools and the staff that are trying to conclude the bargaining.

I stand here ready to accept the honourable member's intervention on behalf of the federation. I should let him know that the Chair of Management Board will apply all diligent efforts to bring this to a successful conclusion.

1500

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr Bob Delaney (Mississauga West):** I have a question for the Minister of Labour. Minister, you've said repeatedly that the health and safety of Ontario workers is your number one priority. I understand the ministry is revising the way it handles cases where workers refuse work because it's dangerous. Please tell me what changes have been adopted and how these changes will affect workplace health and safety in Ontario.

**Hon Christopher Bentley (Minister of Labour):** The member for Mississauga West raises a very important point. It arises from a policy change that the previous government instituted in 2001. This is the context: Last year, over 300,000 people were injured on worksites. Our priority as a government is to make safer and healthier worksites. Under the Occupational Health and Safety Act there is the right to refuse unsafe work.

What should happen in situations where a worker believes that there is unsafe work? Immediately speak to the employer. If it can be resolved at the worksite immediately, that's the best step. If it can't, what happens next is that the Ministry of Labour is contacted. The previous administration allowed Ministry of Labour inspectors to resolve these unsafe work issues over the telephone. That, in many cases, was far from satisfactory. We have changed that. We now indicate that where it cannot be resolved over the phone, a Ministry of Labour inspector will attend at the worksite to protect workers in Ontario.

**Mr Delaney:** Having our inspectors on site to conduct inspections and promote healthy and safe workplaces will make a difference. Please tell me how this shift in policy fits within the ministry's broader health and safety enforcement strategy.

**Hon Mr Bentley:** This gives me an opportunity to say that our new policy with respect to workplace inspection of unsafe work issues not only will protect workers in Ontario, but it fits within the broader context. And that broader context, as I've spoken about before in this House, is a context in which we've launched the minister's health and safety action groups to bring best practices and make them apply throughout workplaces in Ontario to make them safer.

It fits within the context where we recently announced a new process for updating occupational exposure limits

much. These are the exposure limits for potentially hazardous substances in the workplace. It used to be that they were only periodically revised. In fact, in one case they weren't revised from 1986 until 2000—a period of 14 years. We have now instituted a process where these limits will be revised at least once a year, and often more often than that, so that the workers of Ontario benefit from the best scientific and medical evidence—

*Interjection.*

**Hon Mr Bentley:** —as I am sure the member for the NDP opposite would want to have us do.

#### ASSISTANCE TO MUNICIPALITIES

**Mr John O'Toole (Durham):** My question is to the Minister of Municipal Affairs. Minister, you will recall the electricity blackout that affected the northeast United States and Ontario last August 14, 2003. This unfortunate event left some 50 million people in the dark. You might also recall two things: First, every independent report on this important event exonerated Ontario from any cause. Second, our leader, Ernie Eves, made a commitment to assist our community with the costs of police, fire, health and other costs.

Minister, can you clearly admit today that this is another broken Liberal promise? As you know, you turned your back and cancelled the assistance to our municipal partners. Is this not just another broken Liberal promise?

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I thank the member opposite for the question. He is quite correct that Mr Eves promised money sometime in August of last year to the various municipalities that were affected by the blackout. However, what he failed to do, and they were the government at the time, was set up any program or any application deadlines. What's most important, he failed to put any money aside to fund this particular program.

We realize the difficulty that some of our municipalities had as a result of the blackout. However, there was absolutely no money allocated by the former government. It was a promise that was made by that government, and they, as usual, broke their promise.

**Mr O'Toole:** Clearly, the minister doesn't want to own up to his responsibilities. They like to comment routinely on the bogus budget, but this is just one more example where you cannot have it both ways. You can't have it both ways, Minister, because you admit here today that the bogus budget you continue to quote is simply wrong. You know it's wrong. You know it's less than that. Minister, you turn your back—not only turn the lights out, but put our municipalities in the red. You're breaking another promise to the municipal partners that you're supposed to be representing.

**Hon Mr Gerretsen:** I certainly agree with one thing the member said, and that was that last year's budget in the Magna workshop was a bogus budget. As a matter of fact, as we well know, it was such a bogus budget that

when we took office on October 23, we were in debt to the tune of \$5.6 billion for one year, and there may have been another \$2 billion there in additional debts and responsibilities.

The point is simply this: We sympathize with our municipalities. There was never a commitment given by this government. The only commitment given was by that government, without any kind of funding or mechanism put in place to make it happen.

If there was any bogus budget, it was delivered by that government last year at the Magna Corp plant.

### ENERGY CONSERVATION

**Mr Mario G. Racco (Thornhill):** My question is to the Minister of Energy. Friday, April 23, was Conservation Day in Ontario, and I had the pleasure of visiting a company in my Thornhill riding that produces energy-conserving devices such as smart meters. These smart meters allow energy consumers to easily and accurately monitor and control consumption under the tiered rate structure.

I understand that our government is trying to build a culture of conservation in our province so that Ontarians spend less on energy and rely less on polluting energy sources such as coal while preventing the potential of more dangerous power blackouts, as we did experience under the Tory government. Minister, what is your ministry doing to encourage the use of energy-conserving devices such as smart meters by homeowners and businesses?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On April 19 of this year, Premier McGuinty announced the most broad-ranging and sweeping energy conservation program in the history of Ontario. At that time, we announced our intention to put smart meters into every Ontario home by 2010, with an interim target of 800,000 meters in place by 2007.

We've also given the Ontario Energy Board clear direction and authority to establish rates with more flexible pricing to allow Ontarians to save money if they consume electricity in off-peak hours. We'll be working with the Ontario Energy Board to develop and implement requirements for the installation of smart meters in homes and smaller businesses. Large consumers already have interval meters, a type of smart meter. We'll allow local distribution companies to begin investing approximately a quarter of a billion dollars, the largest investment in conservation in the history of the province.

This government is moving fast and solidly to build and improve a conservation culture in the province of Ontario.

**Mr Racco:** Minister, thank you for taking the issue very seriously and sending this important message to the people of Ontario. This issue is very important to the people of Thornhill, not only from a quality-of-life standpoint but also economically, because conserving energy will give Ontarians an extra economic advantage in our very competitive global economy. Inevitably, a culture of

conservation will bring about significant positive spinoffs such as new jobs in new sectors of the economy, a cleaner environment and more money for the people of Ontario, ultimately improving the standard of living for all of us.

In my riding, construction of new homes and buildings continues at a rapid pace. Minister, in keeping with our energy conservation mandate, what initiatives is your ministry undertaking to ensure we have high energy efficiency standards in our homes and buildings?

**Hon Mr Duncan:** The energy efficiency provisions of the Ontario building code are among the strongest in Canada. However, this does not mean that we shouldn't do more.

### 1510

Ontario's Energy Efficiency Act was the first in Canada. It was passed in this Legislature in 1987. It sets minimum efficiency levels for over 50 products, including the major energy consumers found in the home. This does not mean we are resting on our laurels. We are always working to improve our standards.

On March 26 this year, I announced the latest regulation under the Energy Efficiency Act, setting tough new standards for nine products, which will increase energy conservation, help the environment and result in savings for consumers. Rest assured that unlike previous governments—the NDP, who cancelled all demand-side management programs in Ontario; and the Conservatives, who thought demand management conservation was a joke—the McGuinty government is leading the way on conservation not only in Ontario but also in terms of the world.

### TVONTARIO

**Mr Rosario Marchese (Trinity-Spadina):** My question is to the Minister of Training, Colleges and Universities. As you well know, TVOntario provides high-quality educational programming that is linked to the curriculum and is commercial-free. You know that. I have travelled to many cities, gathering support to prevent the sale of TVO, and many citizens told me they don't want a sell-off. They also don't understand why you are discussing a sell-off. When the Conservatives were trying to sell it off in the early period—1997, 1998 and 1999—Mr McGuinty said, "The debate is over." Minister, will you tell the people of Ontario that the debate is really over and that you won't sell TVO?

**Hon Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** I do know that the member from Trinity-Spadina is a great fan of Polkaroo, but you know, there's a lot more to TVOntario than Polkaroo. Independent learning for 24,000 students who can qualify for high school diplomas and independent learning opportunities for apprentices are just examples of the richness of the educational programming for TVOntario. I guess the member is not comfortable with the fact that we have asked the people of Ontario to share with us what they think about a number of things. I also under-

stand that the member is not even happy that we engaged a highly regarded and respected research organization. So I guess there's no telling what we can say to appease the member.

**Mr Marchese:** Minister, I really think you must stop playing peekaboo with Polkaroo. I tell you that it's impossible for TVO to continue its fundraising efforts and conduct normal operations with this threat of a sell-off hanging over its head. If this is a trial balloon you're holding, all you have to do is shoot it down, admit you made a mistake and what I consider to be a political blunder. Can you assure us that TVO will remain public and that it will continue to provide children and adults with the excellent educational programs you were talking about?

**Hon Mrs Chambers:** Again, I will say to the member from Trinity-Spadina that we are proud of our government's interest in hearing from everyone in Ontario, even the member from Trinity-Spadina. When he asked me that question last week and I answered him, I thought he was listening. If this is another one of those pre-budget consultation questions, I guess he'll have to wait until May 18, just like everybody else.

#### GASOLINE PRICES

**Mr Norm Miller (Parry Sound-Muskoka):** My question is for the Minister of Northern Development and Mines. When you were in opposition, you said the following—and I quote from Hansard in 1997: "Gas prices all over Ontario continue to be too high and the government of Mike Harris is doing nothing about it. The Liberals have given the Minister of Consumer and Commercial Relations a solution, but we see no action from the Mike Harris government." Well, Minister, now you are the government and the minister charged with looking out for northern interests. Why are we experiencing record-high gas prices in Parry Sound and all over the north? My constituents and northerners across the province want to know what your solution is.

**Hon Rick Bartolucci (Minister of Northern Development and Mines):** That's a very good question. I think there isn't a person across the country who wouldn't agree that it is a good question.

This is a very, very complex issue. There is no simple solution to it. But let me tell you, there are concerns—I think there are implications internationally—with regard to the amount of barrels that are produced on a daily basis. There is concern that there will be a reduction in the amount of barrels that are produced. Certainly it is very important that we make sure everyone is aware of the acute concern not only of the people of northern Ontario, but the concern that the people of Ontario have with gas prices.

**The Speaker (Hon Alvin Curling):** Supplementary?

**Mr John O'Toole (Durham):** Minister, that was then and this is now. Clearly, you never had an answer then, nor do you have an answer now, unlike the member from Parry Sound-Muskoka, who has really stood up and

listened to the people of Ontario, asking you a question to which you refuse to give an answer.

Minister, I can tell you that people from Durham, and in fact all over Ontario, love to travel to the north—Science North, Dynamic Earth, just camping and outdoor recreational opportunities. Can you assure the House today that you're not going to increase the price of gas with your new gas tax in your May 18 budget? You know that gas is an important and expensive commodity for people that's going to restrict their travel not just to the north, but in the south of Ontario. Can you tell us categorically that you're not going to increase the price of gas with your new gas tax in the province of Ontario?

**Hon Mr Bartolucci:** It is passing strange that the supplementary came from one of the gas-busters. Fourteen recommendations were made to the previous government. I would like the member to stand and tell the House and the people of Ontario how many of those recommendations were acted upon. We understand that the gas fighter won't do that, but it was only one. I want the people of Ontario to know that the previous government was the government that talked the talk but never walked the walk.

#### MUNICIPAL DEVELOPMENT

**Mr Jim Brownell (Stormont-Dundas-Charlottenburgh):** My question is to the Minister of Municipal Affairs. Over the past decade, cities in Ontario have been struggling with the financial and social implications downloaded to them by the past Tory government. As such, numerous cities, including Cornwall, the city in my riding of Stormont-Dundas-Charlottenburgh, have not been able to invest in much-needed downtown revitalization projects, leaving city centres a shell of what they were once were.

In Cornwall, the Heart of the City and La Renaissance projects are currently underway and are ambitious work plans which support and increase business, increase residential housing and would lure people to the beautiful downtown areas of Cornwall. These projects will support the creation of an open-air market, study the feasibility of establishing a factory outlet, proceed with brownfields redevelopment, redevelop the historic downtown and undertake a traffic study. However, the city is struggling with these projects as they move ahead due to the lack of funds. Minister, what is your ministry doing to support cities with projects such as Cornwall's downtown revitalization projects?

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I'd like to thank the member for the question. I'd also like to indicate to him that I've met with Mayor Poirier a number of times, and he certainly put his case forward on behalf of his municipality quite strongly as well.

I think Cornwall has to be complimented, as do all the other small municipalities in Ontario, for trying to have their downtowns as vital as possible. We all know that the vitality of our communities is determined by how the downtowns are developed.

1520

I can tell the member that we are developing tools right now for municipalities to use themselves. We're also developing community development programs to make sure the downtowns of smaller municipalities, and the rural areas, will remain as vital and strong as possible, because we believe in strong communities. That's what this is really all about.

**Mr Brownell:** Your work and open dialogue with municipalities and cities is appreciated. As a former municipal politician, I encourage that dialogue.

Recently I met with municipal representatives from across my riding who have been dealing with infrastructure issues. Many of them are in need of much-needed funding in order to update and renovate infrastructure projects such as water and waste water treatment facilities. In my home community of Long Sault, as an example, we have a massive water treatment project currently underway, but there are similar projects required throughout my riding. As the OSTAR program has now ended and is no longer taking applications, what is our government doing in order to supplement or replace this program?

**Hon Mr Gerretsen:** We recognize that municipalities, large and small, need help with their infrastructure. I know that my colleague the Minister of Public Infrastructure, the Honourable David Caplan, is currently working extremely hard with the federal government, as we are with the Association of Municipalities of Ontario, to come up with the best possible plan, that will have input from all three levels of government, and more important, that will have funding from all three levels of government. Hopefully, a program like that can be announced in the near future.

## EDUCATION ISSUES

**Ms Laurie Scott (Haliburton-Victoria-Brock):** My question is for the Minister of Education. In my riding of Haliburton-Victoria-Brock, there are approximately 150 students in the former townships of Carden and Dalton who for generations have taken their elementary and secondary school education with the Simcoe County District School Board. The students and their families use the city of Orillia and the eastern Simcoe county as their community of interest.

Now, the Trillium Lakelands District School Board wants these Carden and Dalton students back in their schools. They have told these students that they will have to attend schools located within the Trillium Lakelands boundaries, although these schools are much farther in distance from their homes than the Orillia-area schools.

I believe we need to put students first, the local, municipal and student school councils believe that we need to put students first, and their parents believe that we need to put students first. Minister, will you put the students first and personally intervene to work with the boards so the children of Carden and Dalton can attend the schools of their choice, the schools in the Simcoe

system that were also their parents' and grandparents' choice?

**Hon Gerard Kennedy (Minister of Education):** I will that we are in communication now with the board. We are looking into, not taking the decision away from the board, but what the regulations are and so on that are being relied upon to make this decision. We do think that in all instances where the boards have discretionary power, they should be looking out for the interests of students.

There is a difference of opinion about this at the current time, but at the same time we do think there may be a provincial role. I undertake to the member opposite that we are exploring that now and will report back to her further on our success, in terms of both dialoguing with the board and looking at how provincial rules may have brought a part of this situation about.

**The Speaker (Hon Alvin Curling):** Supplementary?

**Mr Garfield Dunlop (Simcoe North):** Ms Scott and I are both agreed that the students from Carden and Dalton are best served by the Simcoe county board. In fact, the Simcoe county board has done a remarkable job of portable replacements over the last four years, in fact changing all of the schools in the township of Ramara—Brechin, Rama Central and Uptergrove—to having beautiful new additions, which of course accommodate the kids from Carden and Dalton.

With a large financial investment—it's about \$5 million in these schools—and I understand the pending regulatory change in the transportation segment of the student-focus funding formula, can you assure us—or I know you could give a partial answer there to the parents and students of Carden and Dalton—and will you make the solution a long-term solution, if you possibly can, by working with the boards? I believe in a solution that will allow Carden and Dalton students to attend Simcoe county schools for the foreseeable future and many generations, if at all possible.

**Hon Mr Kennedy:** What I can say is that there is a need here to make sure there is some long-term stability. I would ascribe right away to that part of the member's question.

We have a point of friction between two boards, essentially, and we want to play whatever constructive role we can. We don't intend to take final decision-making power away from them, but we do see ways, and there are some changes that we think can perhaps ameliorate that, which could be announced in the weeks ahead. But again, I would say that we're looking first of all to see where the provincial responsibility is and how this may be making this more complicated.

We have in some boards a larger issue around lower populations. We have a new policy coming forward, I'll say to the member opposite now, which puts more emphasis on the academic value and performance of schools. And while this is a unique situation—a border issue, if you like—that principle will inform us as well in how we contribute to this solution.

## WATER QUALITY

**Mr Lorenzo Berardinetti (Scarborough Southwest):** My question is for the Minister of the Environment. Great Lakes cities such as Chicago, Detroit, Sault Ste Marie, Windsor and Toronto are members of the Great Lakes Cities Initiative. This initiative is a binational coalition of mayors and other local officials that works actively with federal, state and provincial governments to advance the protection and restoration of the Great Lakes. What is your ministry doing to assist Ontario's Great Lakes cities in achieving the goals of the Great Lakes Cities Initiative?

**Hon Leona Dombrowsky (Minister of the Environment):** With regard to the Great Lakes Cities Initiative, the work they are about is very important, and Ontario also plays a role. I've been told that the province of Ontario shares more miles of Great Lakes shoreline than any other jurisdiction in North America, so we have a leadership role to play.

I'm also happy to announce that on April 12 this year, my ministry, along with the government of Canada, announced our commitment—a \$13-million investment this year and \$50 million over the next few years—to implement a plan to address the hot spots in the Great Lakes, and many of those hot spots are near some of the cities the honourable member has mentioned. This investment will fund initiatives across Ontario to clean up the contaminated sediment in the Great Lakes. It will also increase the monitoring and reporting of water and sediment quality, and will address, or look to address, a reduction in the pollutants that are found in the Great Lakes.

**Mr Berardinetti:** The residents in my riding of Scarborough Southwest will be happy to hear that.

I also want to ask a supplementary on a related matter, which has to do with the St Clair River and the recent spill that occurred there. Along with your commitment to clean up the Great Lakes, what is your ministry doing to ensure that all of Ontario's lakes and rivers are protected?

**Hon Mrs Dombrowsky:** I'm very disturbed by the number of incidents that have occurred along the St Clair River. That is why I have established the Industrial Pollution Action Team, made up of scientists and municipal representatives. I'm very pleased that Maria van Bommel, the MPP for Lambton-Kent-Middlesex, is serving as the chair of that important working group that will bring recommendations to this minister on how we can prevent those accidents from happening in the future.

This government has hired water inspectors. That's our commitment to improving water quality in Ontario. We have committed to implementing all of O'Connor's recommendations. This year we initiated the white paper on source protection, and we're in the process of compiling all the very good information we've received from that initiative. In recent weeks, you would know, I introduced the Adams Mine Lake Act, another action this government has taken to protect water in Ontario.

## AUTISM TREATMENT

**Ms Shelley Martel (Nickel Belt):** My question is to the Minister of Children and Youth Services. I want to return to the promise your Premier made to autistic children on September 17 when he said: "I also believe that the lack of government-funded IBI treatment for autistic children over six is unfair and discriminatory. The Ontario Liberals support extending autism treatment beyond the age of six."

In the gallery today, I have Donna and Joshua Currie of Barrie. Joshua has autism. He's on a waiting list at Kinark, waiting for an assessment to determine the severity of his autism and how much IBI he requires. He's been on the waiting list for two and a half years. In mid-April, Kinark told Donna that even if Joshua gets his assessment, he won't be getting government-funded IBI treatment because he turns six on May 16. Minister, why are you breaking your promise to Joshua and to other children just like him?

1530

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I thank the honourable member for her question and for her commitment to this area, but I do want to reassure her that our government is supporting autistic children, from preschool right through to their school years. We are doubling the amount of money we spend on autism.

I worked with children with autism throughout my career. I know the challenges that parents face. That is why I went out, didn't do anything impulsive, and consulted with experts on our plan. We are going to be giving \$30 million a year to the school system to train parents, teachers, educational assistants, speech and language pathologists and behaviour strategists on ABA. That is what we were told is the correct way to approach this problem.

We will also be infusing money for more therapists in the system by having a one-year training program at two community colleges, rather than a two-week training program, which is what the training is now for therapists, and we will be infusing \$10 million more for IBI for children under the age of six.

**Ms Martel:** Minister, the question was, why are you breaking your promise to autistic children over the age of six, like Joshua? You see, he needs IBI. His psychologist says he needs at least 30 to 40 hours of IBI every week. He's only getting 12. And the only reason he's getting 12 hours is that his mom, Donna, went out, pounded the pavement, applied for grants, and got money from two groups in order to pay for the 12 hours a week.

Explain to me why in Ontario, in 2004, a mom has to go to President's Choice to get money for medically necessary treatment. Your Premier made a very specific promise in the middle of an election to a mom with an autistic child. He said your government was going to end the discrimination against kids over the age of six. Why are you breaking that promise?

**Hon Mrs Bountrogianni:** I thank the member for her question. We will be giving children and their parents and their teachers and their educational assistants specific ABA training in the classroom. That is what we are told is the necessary route.

I want to also cite another parent of an eight-year-old with autism, who is a teacher in the Niagara school system. I have permission to use her name: Linda Volpini. She agrees with us that every child with autism is unique and different in the range of their needs. Not every child requires the same type of treatment. I work with these children. They require different types of treatment. That is why we will be offering ABA in the classroom. ABA is the umbrella which includes the very discrete kind of therapy that some children need, as well as the more general consultation to the classroom that other children need.

I ask the honourable member to be patient. Tomorrow, our working group for the two ministries, children and youth and education, are meeting for the first time to plan the implementation of this program. I ask her to reserve judgment until those details are public.

## TAXATION

**Mr Tim Hudak (Erie-Lincoln):** A question to the Minister of Economic Development and Trade: Minister, in 1995, the Interprovincial Lottery Corp conducted a national survey of over 3,000 Canadians when Paul Martin was considering a tax on lottery winnings. The study found an expected 20% decrease in lottery purchases as a result. If you put that across the gaming industry today, there will be a net loss to Ontario of \$280 million from the McGuinty casino and bingo tax. Minister, in light of this, will you now rule out a tax on lotteries and casinos, or do you have a study that proves the opposite?

**Hon Joseph Cordiano (Minister of Economic Development and Trade):** What I can tell the member opposite is that with respect to a variety of views that have been put forward by various people in the public, this government is considering all of those views in terms of what we do when we move forward.

That's something you failed to do. You failed to consult with the public. You closed off all the options. You closed off any discussion. You closed off any consideration for anything that was remotely different or provided some alternatives.

We, as a government, have decided very clearly that we're going to consult with the public, and we're not afraid to hear a variety of views. That's what this process is all about. I say to the member opposite, decisions have not been made. We will take into consideration all the views that we've heard out there.

**Mr Hudak:** I'm surprised the minister responsible for promoting the industry would not rule this out or give his own—I challenge you, in your consultations, to give me the name of one person who supports this nutty idea of a lottery and casino tax. It reminds me of their plan to tax

meals, the soup, salad and coffee tax that McGuinty let sway in the breeze for about 10 days before he knocked it off. It's simply caused by their voracious appetite for tax dollars.

Minister, I did my own consultation at Uncle Sam's Bingo on Friday in Fort Erie. They're not receiving very well your idea to tax their winnings. In fact, the McGuinty casino-and-bingo tax is bad news for jobs and bad news for local charities. Will you just fold your hand and admit that the casino tax is a bad bet?

**Hon Mr Cordiano:** I say again to the member opposite that we're not afraid to hear a variety of views. We canvassed all sorts of opinions, unlike you, who cut yourselves off from the public. You didn't even listen. You never listened to anybody. You didn't listen to nurses when they told you there weren't enough nurses in hospitals. You didn't listen to the people who warned you about possible problems with water inspection. You ignored all those things. You ignored everyone, because you had all the answers. You were afraid to consult.

We've gone out and consulted with people. We've heard a variety of views. Nothing has been decided. Nothing is in and nothing is out, I say to the member. We're going to consider all those views as we move forward in a rational, receptive way.

## PETITIONS

### PHYSIOTHERAPY SERVICES

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** "To the Legislative Assembly of Ontario:

"Whereas seniors and other qualified patients require the continued provision of physiotherapy services through schedule 5 clinics to promote recovery from medical conditions and continued mobility and good health;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The patients of schedule 5 physiotherapy clinics request the continued support of the Legislative Assembly of Ontario for provision of OHIP-covered physiotherapy treatment to qualified seniors and others in need of these vital health care procedures."

I have here the names of 2,500 people.

### ALEXANDER GRAHAM BELL PARKWAY

**Mr Dave Levac (Brant):** This petition is to the Legislative Assembly of Ontario.

"Whereas Alexander Graham Bell, renowned inventor of society-altering technological inventions, such as the telephone, greatly revolutionized the daily lives of people in Ontario, Canada and the world; and

"Whereas Alexander Graham Bell's contributions to science, technology and society as a whole were in part

developed and tested while he lived in Brantford, Ontario; and

"Whereas Brantford lies at the heart of the section of Highway 403 which runs from Woodstock to Burlington;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:"—and Wayne Gretzky does support this petition—

"To adopt and pass into law Dave Levac's private member's bill, Bill 44, the Alexander Graham Bell Parkway Act, renaming Highway 403 between Woodstock and Burlington as a tribute to this great inventor."

I affix my name to this petition and hand it to Sameer.

#### TAXATION

**Mr Jerry J. Ouellette (Oshawa):** These petitions continue to come in—just look at the numbers.

"Whereas every day, 1.5 million Ontarians, including seniors, health care workers and students, purchase a basic meal that costs less than \$4; and

"Whereas a new 8% tax on such meals will disadvantage low-income Ontarians; and

"Whereas adding a tax for the first time on a glass of milk, a salad, a bowl of soup or a cup of coffee will affect a total of 1.5 million Ontarians each and every day in restaurants and cafeterias across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not impose a new 8% tax on basic meals under \$4."

I sign my name in agreement.

#### SOCIAL ASSISTANCE

**Mr Michael Prue (Beaches-East York):** I have a petition signed by hundreds of individuals, which reads as follows:

"To the Ontario provincial Legislature:

"Because Ontario Works was slashed by 21.6% in 1995, and with the increases to the cost of living, that cut is worth nearly 40% today; and

"Because Ontario disability support program benefits have been frozen since 1993; and

"Because current social assistance rates do not allow recipients to meet their cost of living; and

"Because the people of Ontario deserve an adequate standard of living and are guaranteed such by the International Covenant on Economic, Social and Cultural Rights; and

"Because the jury at the inquest into the death of Kimberly Rogers recommended that social assistance rates be reviewed so that they reflect actual costs of living;

"We demand that the Ontario government immediately increase social assistance rates to reflect the true cost of living. This means shelter allowances that are based on the average local rents as calculated by the Canada Mortgage and Housing Corp and a basic needs allowance that is based on the nutritional food baskets

prepared by local health units as well as the calculations for the costs of household operation, household furnishings and equipment, clothing, transportation and health care as reported in Statistics Canada's Average Household Expenditures."

I'm in agreement and attach my signature thereto.

1540

#### ONTARIO BUDGET

**Mr Tony Ruprecht (Davenport):** I have a petition to the Parliament of Ontario which brings us back to an action of the former government.

"Whereas the parliamentary tradition in Ontario of presenting annual budgets in the House of the Legislative Assembly has existed for decades; and

"Whereas the previous government in 2003"—

*Interjections.*

**Mr Ruprecht:** That's right. You were in the previous government. He's heckling, Mr Speaker, but he was in the previous government. I remember that.

**The Speaker (Hon Alvin Curling):** Get on with the petition, please.

**Mr Ruprecht:** Whereas they "showed disrespect for"—

*Interjections.*

**Mr Ruprecht:** Let me read the petition, please.

**The Speaker:** Order. The member for Davenport, could you just direct your petition to the Speaker and continue, please.

**Mr Ruprecht:** I know they don't want to hear this.

**Mr Mike Colle (Eglinton-Lawrence):** They're afraid of the petition. That's what it is.

**Mr Ruprecht:** That's right. They're afraid of the petition.

"Whereas the previous government in 2003 showed disrespect for our public institutions and the people of Ontario by presenting a budget inside a private, for-profit auto parts factory; and

"Whereas the previous Speaker of the Legislative Assembly condemned the actions of his own party's government;

"We, the undersigned, petition the Legislative Assembly of Ontario to uphold parliamentary tradition and hold a public presentation and debate of the 2004 budget, and every budget thereafter, by our publicly elected members of Parliament" inside this chamber.

I agree with this 100%. I have decided to put my name on the petition.

#### TILLSONBURG DISTRICT MEMORIAL HOSPITAL

**Mr Ernie Hardeman (Oxford):** I have a petition here signed by in excess of 2,000 of my constituents and surrounding ridings.

"To the Legislative Assembly of Ontario:

"Whereas the Tillsonburg District Memorial Hospital has asked for ministerial consent to make capital changes

to its facility to accommodate the placement of a satellite dialysis unit; and

"Whereas the Ministry of Health and Long-Term Care has already given approval for the unit and committed operational dollars to it; and

"Whereas the community has already raised the funds for the equipment needed;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Health and Long-Term Care give his final approval of the capital request change from the Tillsonburg District Memorial Hospital immediately, so those who are in need of these life-sustaining dialysis services can receive them locally, thereby enjoying a better quality of life without further delay."

I affix my signature to this petition, as I totally agree with it.

### SOCIAL ASSISTANCE

**Mr Michael Prue (Beaches-East York):** I have a petition that reads as follows:

"To the Ontario provincial Legislature:

"Because social assistance rates were slashed by 21.6% in 1995, and with the increase in the cost of living, that cut is worth about 34.4% today; and

"Because current social assistance rates do not allow recipients to meet their cost of living; and

"Because the people of Ontario deserve an adequate standard of living and are guaranteed such by the International Covenant on Economic, Social and Cultural Rights; and

"Because the jury at the inquest into the death of Kimberly Rogers recommended that social assistance rates be reviewed so that they reflect actual costs of living;

"We demand that the Ontario government immediately increase the shelter portion of Ontario Works and Ontario disability support program benefits to the average Canada Mortgage and Housing Corp rent levels and index social assistance to the cost of living."

I agree with this and affix my signature thereto.

### MOTORCYCLE INSURANCE

**Mr Lou Rinaldi (Northumberland):** I have a petition from the members of the Quinte chapter of the Canadian Vintage Motorcycle Group, along with the motorcycle industry, and it reads:

"We, the undersigned, petition the Legislative Assembly of Ontario and are asking the new Liberal government of Ontario to enact policies that will make motorcycle insurance affordable for Ontario motorcyclists and, thus, to protect the livelihood of thousands of Ontario workers."

I'm happy to affix my name to it.

### ONTARIO BUDGET

**Mr Tim Hudak (Erie-Lincoln):** I have a petition actually much like that of the member for Davenport. It reads as follows:

"To the Legislative Assembly of Ontario,

"Whereas the parliamentary tradition in Ontario of presenting annual budgets in the House of the Legislative Assembly has existed for decades; and

"Whereas the previous Speaker of the Legislative Assembly criticized the actions of the Conservative Party and is now running as a candidate for the federal Liberal Party; and

"Whereas the budget should be beyond reproach and should not be presented by a member of the executive council who has any perceived or real conflict;

"We, the undersigned, petition the Legislative Assembly of Ontario to ensure the budget is not read by a finance minister who is not under investigation by the Ontario Securities Commission, the Canada Customs and Revenue Agency, the Royal Canadian Mounted Police, or any other law enforcement agency."

I affix my signature in support.

### ONTARIO DRUG BENEFIT PROGRAM

**Mr Tim Peterson (Mississauga South):** I have a petition today that was collected by a very active lady in my riding, Elsie Rossi. She collected over 1,350 signatures from seniors in Mississauga South that urge the government to not make any cuts to the senior services drug plan. I hereby submit this petition.

### LANDFILL

**Mr Garfield Dunlop (Simcoe North):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the county of Simcoe proposes to construct a landfill at site 41 in the township of Tiny; and

"Whereas the county of Simcoe has received, over a period of time, the necessary approvals from the Ministry of the Environment to design and construct a landfill at site 41; and

"Whereas, as part of the landfill planning process, peer reviews of site 41 identified over 200 recommendations for improvements to the design, most of which are related to potential groundwater contamination; and

"Whereas the Minister of the Environment has on numerous occasions stated her passion for clean and safe water and the need for water source protection; and

"Whereas the Minister of the Environment has indicated her intention to introduce legislation on water source protection, which is a final and key recommendation to be implemented under Justice Dennis O'Connor's report on the Walkerton inquiry; and

"Whereas the Minister of the Environment has announced expert panels that will make recommendations to the minister on water source protection legislation; and

"Whereas the Ministry of the Environment will now be responsible for policing nutrient management; and

"Whereas the citizens of Ontario will be expecting a standing committee of the Legislature to hold province-wide public hearings on water source protection legislation;

"We, the undersigned, call upon the government of Ontario and the Ministry of the Environment to immediately place a moratorium on the development of site 41 until the water source protection legislation is implemented in Ontario. We believe the legislation will definitely affect the design of site 41 and the nearby water sources."

I'm pleased to sign my name to that as well.

#### MINIMUM WAGE

**Mr Michael Prue (Beaches-East York):** I have another petition here today. It's to the Ontario Legislature and reads as follows:

"Because the minimum wage was frozen at \$6.85 for almost nine years, despite significant increases to the cost of living; and

"Because the McGuinty Liberals have raised it by a mere 30 cents and \$7.15 is still far too low; and

"Because a full-time worker earning the current minimum wage in a large city is almost \$6,000 below the poverty line, and to reach the poverty line would need an hourly wage of at least \$10; and

"Because the minimum wage should provide people with an adequate standard of living;

"We demand that the Ontario government immediately increase the minimum wage to at least the poverty line—that means \$10 an hour—and index it to the cost of living."

Good sentiments. I agree with them and I will sign it.

#### GO TRANSIT SERVICE

**Mr Bob Delaney (Mississauga West):** It's my pleasure today to present a petition on behalf of some members of the Peel Multicultural Council. It's addressed to the Ontario Legislative Assembly, and it says:

"Whereas the city of Mississauga has, within a generation, grown from a linked collection of suburban and farming communities into Canada's sixth-largest city, and tens of thousands of people daily need to commute into and out of Mississauga in order to do business, educate themselves and their families and enjoy culture and recreation; and

"Whereas gridlock on all roads leading into and out of Mississauga makes peak-period road commuting impractical, and commuter rail service on the Milton GO line is restricted to morning and afternoon service into and out of Toronto; and

"Whereas residents of western Mississauga need to 'commute to commute,' driving along traffic-clogged roads to get to overflowing parking lots at the Meadowvale, Streetsville and Erindale GO train stations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Transportation and highways, instruct GO Transit to allocate sufficient resources from its 2004-05 capital budget to proceed immediately with the acquisition of land and construction of a new GO train station, called Lisgar, at Tenth Line and the rail tracks, to alleviate the parking congestion, and provide better access to GO train service on the Milton line for residents of western Mississauga."

As one of those residents, I certainly agree with this, and I affix my signature.

1550

#### FIRE PROTECTION SERVICES

**Mr Norm Miller (Parry Sound-Muskoka):** I have a petition from the constituents of Parry Sound-Muskoka, and it reads:

"To the Legislative Assembly of Ontario:

"Whereas municipalities are solely responsible for funding fire services; and

"Whereas the previous government committed \$40 million to help small and rural communities in the purchase of new emergency firefighting equipment;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the province of Ontario proceed with a program to support municipal fire services for the purchase of life-saving equipment, and that the province develop a rural response strategy in consultation with municipal fire services."

I support this petition and affix my signature.

#### MINIMUM WAGE

**Mr Michael Prue (Beaches-East York):** I have another petition that's slightly different, and it reads as follows:

"To the Ontario provincial Legislature:

"Because the minimum wage has been frozen at \$6.85" since 1995, "despite ... increases in the cost of living; and....

"Because a full-time worker earning the current minimum wage in a large city is" \$5,904 "below the poverty line, and to reach the poverty line would need an average hourly wage of at least \$10; and

"Because the minimum wage should provide people with an adequate standard of living;

"We demand that the Ontario government immediately increase the minimum wage to at least the poverty line—that means \$10 an hour—and index it to the cost of living."

I would affix my signature thereto.

## ORDERS OF THE DAY

### ADAMS MINE LAKE ACT, 2004

LOI DE 2004

SUR LE LAC DE LA MINE ADAMS

Resuming the debate adjourned on April 28, 2004, on the motion for second reading of Bill 49, An Act to prevent the disposal of waste at the Adams Mine site and to amend the Environmental Protection Act in respect of the disposal of waste in lakes / Projet de loi 49, Loi visant à empêcher l'élimination de déchets à la mine Adams et à modifier la Loi sur la protection de l'environnement en ce qui concerne l'élimination de déchets dans des lacs.

**The Deputy Speaker (Mr Bruce Crozier):** The Chair recognizes the member for Ottawa-Orléans.

**Mr Phil McNeely (Ottawa-Orléans):** I'm pleased to rise today to speak to Bill 49, the Adams Mine Lake Act. Through the introduction of this act, we are taking an important step toward keeping our commitment to protect the environment for future generations. We are also assuring the people from northern Ontario that the uncertainty with which they have lived in respect to this project is over and that their communities will be protected from the negative environmental impacts that this project certainly would have caused.

In effect, we are working to stop the trend of environmental degradation we have been witnessing over the last number of years. With this legislation, we are making a commitment to protecting source water. From the lessons of Walkerton, we know too well the cost of not doing so. It was painful and, frankly, maddening that it took people dying to shock us out of complacency and to reveal the gaping holes that were created by the previous government in this essential service. People died because of lack of proper oversight of an essential service. Running fast and loose with public safety is a huge mistake. Cutbacks in that area have cost us dearly; even more, the lives that were lost. The previous government lost the public trust and brought short-term prosperity at the cost of non-renewable resources.

As my colleague the Minister of Natural Resources stated during an earlier session on second reading of this bill, there are costs involved in implementing this legislation in terms of settlements, in terms of jobs and other short-term benefits. But as he also noted so eloquently, any project that is not grounded in a sound environmental context bears too high a cost. Ensuring environmental sustainability is essential if we are to be responsible stewards of our children's birthright.

This legislation is part of a comprehensive strategy that will see improved waste management through a multi-pronged approach which will encompass waste reduction as well as diversion and deal with landfill issues. It also includes the creation of new mechanisms to increase public confidence in the environmental process, which will be made more responsive and transparent. We want to work with communities to ensure that their needs

are balanced with the other pressures with which we are being forced to deal.

Residents in many communities around Ontario are working hard to reduce the amount of waste going into landfills. It is that individual and community commitment that will help make change happen. Gone are the days when we could put trash out the back door and forget about it. It really is a nightmare in the making unless we all take serious steps right now to correct it. We cannot depend on Michigan's continuing to take Toronto's garbage. That US state is getting nervous and is starting to impose increasing restrictions on what they are willing to accept. They are now turning back the truckloads of garbage that carry what in fact are recyclables. This is clearly our own issue to deal with.

I speak as an elected member from the Ottawa area, but I recognize that this is a provincial issue and that the responsibility for finding solutions to these issues belongs to all of us. Although there is confidence that the city of Toronto is doing everything it can to deal in a responsible manner with Michigan's concerns, we need to enact a long-term provincial strategy to deal with Ontario's garbage that will be responsive to the innovative strategies that can be supported by our joint efforts and resources. That means municipal and provincial resources, as well as those of the public and private sector and of individual Ontarians. We need a common will and a common purpose.

That is why we are proposing a new provincial goal to divert 60% of waste from disposal by 2008, in effect putting our own feet to the fire. We need to act now to put systems in place that will allow us to reach the goal sooner, if possible. When you think about what our ancestors did in opening up this country, in settling cities, and the sacrifice they made through their war efforts, we can fairly see ourselves as incompetents who can't look after our own business when it comes to solving the environmental problems that this complex society creates. In not facing up to the problems we have created in cosmetic use of pesticides in our cities, industrial pollution or the degradation of our personal health and work environments, we waste billions of dollars of taxpayers' money in the courts, in delays, in not acting.

I believe this legislation can be a beacon for how we deal with our environmental issues. I'm proud of the bill the Ministry of the Environment has introduced.

**Mrs Liz Sandals (Guelph-Wellington):** I'm pleased this afternoon to rise in support of Bill 49, the Adams Mine Lake Act. If passed, this bill will stop any future development of the Adams mine pit as a landfill, politely put, or as a dump, to put it bluntly. It will also prohibit using any other lake in Ontario over one hectare in size as a landfill or dump.

The history of the Adams mine pit is interesting. It started out as a pit mine outside Kirkland Lake. It has been a huge pit mine, abandoned for years. Over the years the groundwater has seeped in, and in fact it is now essentially a lake, which is why the bill is entitled the Adams Mine Lake Act. What has happened, though, is

that now there is a proposal to pump out the lake and use it as a dump. The concern of the local residents is that if groundwater can seep into the pit, then contaminants which inevitably arise when you use something as a dump can seep out and get into the groundwater supply.

We all know, from the painful experience of Walkerton, what happens when groundwater or well water becomes contaminated. We can have a public health disaster on our hands. I know, closer to my home in Guelph-Wellington, in the little village of Elmira, that because of past industrial dumping, a large number of wells in that community are unusable because of industrial contamination. It is this effect that we are determined to stop. It is not acceptable, in the search for sites that can be used as dumps, to endanger our groundwater supply, to endanger the communities in northern Ontario that depend on that vein of water, to endanger their safe water supply.

This act will stop any future use of the Adams mine lake as a landfill site. If you're sitting in southern Ontario and thinking, "So what? This is a pit outside Kirkland Lake. What does that have to do with me?", it might have a lot to do with you. It certainly has a lot to do with my riding of Guelph-Wellington. One of my municipalities is a little municipality called Puslinch, and it happens to have a lot of gravel pits. Of course, that's another form of open pit mining. Puslinch is dotted with pits, many of which are mined below the water table. Of course, what happens when that gravel extraction business is finished, when the pit has been mined out, is that the gravel pit operator goes away, the groundwater seeps in, and you essentially have a gravel pit lake.

#### 1600

This bill, if it is passed, will help my constituents because the bill will not just outlaw using the Adams pit lake as a landfill, but will also outlaw using as a landfill any lake or former pit which has filled with groundwater. So for communities all over Ontario, this will have a positive impact on protecting their safe water supply.

Then the question comes up: So what are we going to do, because we obviously do have to deal with garbage? One of the things that we are committed to doing is having an aggressive waste diversion program where 60% of our garbage will be diverted from landfills by the year 2008.

This can be done, because in my home community of Guelph we have a very aggressive waste diversion program. The people of Guelph actually sort their garbage into three streams. Organic compostables go into the green bag and go off to a municipal composting facility. Anything that can be composted must go in the green bag. The municipality composts that and then can use that to good purpose. Recyclables—things like fine paper, newsprint, plastic bottles, glass jars—all go into the clear blue bag and are available for recycling. The third bag, the clear bag, is only for garbage, and only the garbage bag goes to landfill.

I believe that with the leadership of Guelph and other communities that have aggressive waste diversion pro-

grams, we can move toward a waste diversion program, and that Bill 49, which will protect our groundwater supply, is going to be very good not just for the people of northern Ontario, but for all of Ontario.

**The Deputy Speaker:** Further debate? The member for Erie-Lincoln.

**Mr Tim Hudak (Erie-Lincoln):** I plan on sharing my time as well, but I'm pleased to comment on the Adams Mine legislation.

These are two-minute hits, Mr Speaker?

**The Deputy Speaker:** Oh, these are. Sorry.

**Mr Hudak:** No problem; I appreciate that.

In response, I appreciate the comments. I'm looking forward to this debate, because I do believe that this decision was born out of politics, that there was no science behind the decision to close down the Adams mine.

It went through the proper process, as far as I know and recall. The people of Kirkland Lake were supportive. They had an election that was basically a referendum on this issue in Kirkland Lake, where there was strong support for the new mayor, Bill Enouy, and his council. In fact, the mayor and those who opposed using the Adams mine were tossed out of office. So my recollection on this is that there was strong support in the host community and that it had gone through the proper environmental channels.

Born out of politics, the McGuinty government tossed this out in a bill that has many flaws that we'll look forward to debating and bringing to the committee hearings, if they take place.

What's important too, I think, is that there does not seem to be a serious plan in case Michigan closes its border. Right now we're in a bit of a limbo where the city of Toronto and I think York region and some other areas send a significant proportion of their waste into the state of Michigan. There are state legislators there, and the governor, who are trying to bring a stop to that. There is no backup plan for what happens if that border closes.

The member for Guelph-Wellington had spoken about an aggressive waste diversion program. What is it, 60% by 2008? It's extremely aggressive. I understand the state of California has invested tens of millions of dollars in diversion over—what is it?—a 10- or 15-year period and hasn't come close to the targets that this government anticipates achieving. Perhaps they'll achieve the residential; it remains to be seen. But certainly for the industrial, commercial and institutional waste, there is no chance; it's an unrealistic target and they need a better plan.

**Mr Michael Prue (Beaches-East York):** I listened with great intent to the members for Ottawa-Orléans and Guelph-Wellington. In fact, I believe they're on the right track.

I remember in the last Legislature listening very often to people who did not care, I think, as much about the environment as perhaps they could have.

This is a bill that is on the right track. It is attempting to stop what would be a disastrous environmental policy if we were to allow Toronto or anyone else's garbage to

go to Adams mine. I am proud to say I was there at the city of Toronto, one of three former councillors who now sit in this room and the only one who fought the Adams mine. It was an idea that was totally wrong, to transport the garbage from this particular community hundreds of kilometres by rail and put in an abandoned pit that some now liken to a lake.

The members have spoken about what this government must do, and I am in agreement. We must do more to recycle, we must do more to compost, but what needs to be done to get the massive amounts of garbage out of the stream needs to go beyond simply recycling and beyond the 60% solution that is being talked about today. We need to aggressively ensure that products are not overpackaged. There needs to be a tax on anyone who overpackages commercial products.

We need, in this province, to do what most of the other provinces and some of the states are now doing, and that is to go back to a deposit-return system on pop bottles and wine bottles, just as they do in the Beer Store, which recycles or reuses some 98% of all the beer bottles. We need to go back to that. That is the only way, aggressively, that we're going to meet the 60% target.

**Mr Mike Colle (Eglinton-Lawrence):** Certainly this Adams mine scheme was one advanced by the previous government and by the previous Premiers, especially Mike Harris, who advanced this scheme that was going to be costing the people of Ontario hundreds of millions of dollars. Can you imagine, to truck garbage from Toronto 600 kilometres north into an open mine, which is now essentially a lake, to somehow deal with a problem that has to be dealt with in terms of reduction and separation and diversion?

So this is a very positive step that the Ministry of the Environment has taken. It goes contrary to all the anti-environmental positions of the previous government, which was willing to entertain the proponents of this scheme at a cost not only to the environment but to the people of Kirkland Lake and area and everybody downstream from this Adams mine.

It is a significant change in direction. It shows that our government was not willing to entertain private schemes by private individuals for private profit for long-term harm to our environment.

Also, I think it is an important signal that we have to start to invest in our waste resources. It's not garbage; it's a resource that has to be dealt with. We now have to make some tough decisions, but we can't do it by investing or wasting literally hundreds of millions of dollars on some concocted scheme that was going to ship waste to Kirkland Lake by rail. We should be using rail to move people on GO Transit, not to move waste up to Kirkland Lake. This was a crazy idea, and this bill puts an end to this crazy idea.

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to make a few comments on the previous speaker as well. I understand you're probably not going to want to do a lot more debate on this bill. From this side of the House, when you were so environmentally concerned as a party,

we thought you'd want to have a lot of debate on something as important as this.

Now, what's bothering me—

**Mr Michael Gravelle (Thunder Bay-Superior North):** We're having a lot of debate. We've had all kinds of debate.

1610

**Mr Dunlop:** We haven't even got into 10-minute rotation yet, guys, so just remember that. There has not been a lot of debate on this bill, and we're going to drag it out; you might as well know that right now. The fact of the matter is, we need answers to a lot of issues on this particular piece of legislation.

One of them is the technical reason why your government, the Minister of the Environment, would allow this approval process to be turned down. We have not seen that. I know people who have asked for those reasons from the Minister of the Environment. Apparently, nothing exists. There are no technical reasons, from our perspective, that the Minister of the Environment has come forward with to actually show why the Adams mine would not be used as a landfill.

We think that this government and the people of Ontario need to know the technical reasons, because there are a lot of technical reasons why the Minister of the Environment tries to justify proceeding with landfills. So I'm really concerned about that as well, and we'll be looking for a lot of debate on this particular piece of legislation as it moves forward.

Again, we don't think there has been enough debate on it at this point. We'd actually like to see a few more days of debate on second reading of this particular piece of legislation over the next few days. Thank you very much. I look forward to further comments.

**The Deputy Speaker:** The member for Ottawa-Orléans has two minutes to reply.

**Mr McNeely:** I was involved in environmental assessments a bit in my past life, mostly with roads and bridge projects, and I'm happy to see that we're not going to be dumping garbage into this lake up in northern Ontario. What I did know about the environmental assessment process is that some of our engineers were able to take the ones for landfills through very successfully. I think landfills are going to be part of waste disposal. I think that we have to proceed with them. I certainly hope that the ones that are called terms of reference, EAs, do continue to be used, because if you define private enterprise, when the environmental assessment is defined in a proper way, I think that excellent results can come from them.

We were successful in establishing two landfills in the Ottawa area, and they were well received by the people. One of them that I was quite involved in included the waste disposal area. But then a marsh was able to break down any of the contaminants, so that the water quality, when it reached any receiving streams, was certainly above a lot of the runoff from just the local agricultural lands.

So I think it's very important that the terms of reference, the EAs, proceed. I'm pleased to see that we won't be using a lake in northern Ontario to dispose of garbage, especially with the distance and the future with the cost of transportation, etc. We have to be closer to the source of the waste. So I'm really pleased with the bill that the Minister of the Environment has brought in for this site, and I will support it.

**The Deputy Speaker:** Further debate?

**Mr Jim Flaherty (Whitby-Ajax):** I'm pleased to have an opportunity to speak to the bill today. It's an important bill, not particularly because it deals with the Adams mine, but because of the principles that are being violated by this bill relating to the property rights of individuals and corporations in the province of Ontario. I know the Liberals don't care about that, but there are a lot of people in Ontario who actually care deeply about property rights and real property rights in the province, and about the rule of law. That's another fundamental of democratic society that many people, unlike Liberals, actually care about in Ontario.

The rule of law is being violated by this bill, just as it was violated by the retroactive legislation with respect to the equity in education tax credit. Because some of the members opposite don't understand that, I'm going to quote from Sullivan and Driedger on the Construction of Statutes, page 553, where it is said, "It is obvious that reaching into the past and declaring the law to be different from what it was is a serious violation of the rule of law.... the fundamental principle upon which rule of law is built is advance knowledge of the law. No matter how reasonable or benevolent retroactive legislation may be, it is inherently arbitrary for those who could not know its content when acting or making their plans." That is, there are issues of fairness, and there are issues of predictability for people in the province of Ontario: for people who own real property, for people who are concerned with the environmental process, and for people and corporations here in Ontario who are perhaps interested in investing, in growing and creating jobs in the province. The Liberal government doesn't understand the consequences of what they do when they bring before this House retroactive legislation, and retroactive legislation that affects finances for people in Ontario.

For example, when we look at this bill—and we're all concerned about environmental issues. It's mainstream in the province of Ontario, and it's correct that we would all be concerned about issues affecting the environment. I'm very proud, in my riding of Whitby-Ajax, of having had a role in making sure that we preserved, protected and expanded the Lynde marsh, which is a class A wetland—the last one, actually, all the way around the west end of Lake Ontario, from St Catharines around to Picton. I'm very proud of the role I had an opportunity to play in doing that. I think we all share that environmental concern, which is why the environmental assessment process was created.

Some people decided they would like to perhaps use the Adams site for landfill purposes. They brought an

environmental application. That's the process that we legislators in the province of Ontario said was the law. They obeyed the law. They followed the process. They spent a great deal of money, with lawyers, experts, environmental engineers and all of that sort of thing. This is regardless of whether one thinks it's a good idea or a bad idea. That's not the point. The point is the rule of law. The point is that we have laws that are published, that are public. It makes us different from, regrettably, the majority of governments in the world that are dictatorial and do not follow the rule of law. We are supposed to be a government of laws, not a government of men and women. We're not supposed to be arbitrary. We're not supposed to change the rules retroactively, particularly financial rules and taxation rules, and particularly rules about the environment. We want to encourage people who invest in the province of Ontario or who consider it as something they might want to do. We want them to have certainty about what the law is and what the process is. Why? Because we want them to do business in the province of Ontario, to create jobs, and to be environmentally good citizens. How do you be an environmentally good citizen? You obey the environmental laws substantively, and you follow the process that has been laid out—by whom? By the Legislative Assembly of the province of Ontario, by those of us who are elected.

That's not what the government says now. It says "No, we will ignore the rule of law. We will retroactively cancel the environmental assessment results." This bill, in subsection 3(1), says,

"3(1) The following are revoked:

"1. The approval dated August 13, 1998 that was issued to Notre Development Corporation under the Environmental Assessment Act, including any amendments made after that date."

A huge process was followed: experts on all sides, all kinds of evidence, the whole thing according to the rule of law, according to the rules in the province of Ontario. A conclusion was reached. Today, the Liberal government comes before the Legislature and says we should throw all that out the window.

What message does that give to people and property owners in the province of Ontario? It says that the government of the day, this government, is prepared to arbitrarily take away your rights after you follow all of the rules, at substantial expense.

Even once you've done that, they're not finished yet. Then they say, "Oh, OK, compensation. You might want some compensation, because we're changing the rules retroactively, which has substantial financial consequence. You were successful in your application when you followed all the rules back in 1998, six years ago. Now we're changing the rules. We're affecting your property rights now, six years later, because we have a majority of members in the Legislative Assembly. We're going to limit what you can do. We're going to say that you lose the fundamental right, which people have in the province of Ontario, to go to court"—Magna Carta, redress, the opportunity, the fundamental principle of the

rule of law, that people who have suffered harm at the hands of others may go to court and seek redress. But the Liberals won't even give them that. They retroactively changed the law vis-à-vis the environment, and then they said: "We won't let you go to court. We're going to tell you the kind of compensation you're entitled to. You're not going to be allowed to take legal proceedings," and so on.

**1620**

So the particular victims of Bill 49 at the hands of this government, which clearly has no respect for the rule of law—when I asked the Attorney General about it in question period the other day, he was, quite frankly, embarrassed, as he should be, being a competent lawyer who understands the rule of law and how important it is in our society—how it makes us different from dictatorships. It's not about the substance; it's about obeying the law substantively, obeying the law procedurally and assuring people in Ontario that both those principles will be honoured.

Again, dealing with property rights, the issue there, quite frankly, is that people's property right are in danger now that the Liberals have shown they do not respect them. If you, the Liberal government of Ontario, using your majority, can take away the property rights of people in northern Ontario, southern Ontario and eastern Ontario, that means property is not safe. Property rights are not constitutionally enshrined in Canada, which is regrettable. But that means these elected members, these Liberal members, may decide they're going to take away other people's property rights in Ontario. And after they do it, they can do what they're trying to do in Bill 49; that is, not only take away rights but then say, "And by the way, you cannot have an adjudication by an impartial court. You can't have your right against the government. You'll have to be satisfied with whatever we say you're entitled to."

There is another egregious example of retroactive legislation in the tax area: the equity in education tax credit, brought in late last year, where the government decided to viciously go after the 95% of students attending independent schools in Ontario who are of modest means. After these families planned their year from January right through to the end of the year, these Liberals opposite, in a very mean way, decided they would take away from these families the benefit of the financial planning they did, looking forward to that year.

It's more sad than a cause for anyone getting upset about it. It's just sad that there's this failure of the Liberal government to understand that what we do in this place isn't so much about today or tomorrow but about the tradition of Canada, the tradition of Ontario, the rule of law, the rights of citizens and respecting them; it's not about who happens to be the government of the day. So I say to the members of the Legislature—and I don't have much hope with respect to Liberal members who are following the directives of the powers that be on the other side of the House, but I hope the other member of the House, and even one or two Liberals, have the

courage to stand up and say, "This is wrong; it violates the rule of law; vote against it."

**The Deputy Speaker:** Questions and comments?

**Mr Prue:** I've listened, as always, intently to the member for Whitby-Ajax. He has raised a key point that we, as legislators, must always watch; that is, we must follow the rule of law. I think the proponent of the Adams mine, Mr McGuinty, did follow the rule of law. Having said that, we have to know that the law he was following was hugely flawed.

The environmental process that resulted in the Adams mine being found to be a solution was truncated. It was stopped in mid-track. It was done in only a half-hearted way. Vast amounts of money were spent by Mr McGuinty and those who supported him in trying to convince what I can only describe—and I worked with him for a long time—as a very weak mayor and a council that was desperate to try to find a solution, even if that solution took them 600 kilometres away by rail to dump their garbage in an abandoned mine pit. They convinced that weak mayor and that desperate council to take a desperate solution.

The member for Whitby-Ajax talks about property rights. I agree that property rights are very important in our society, but the reason, with all respect, they have not been enshrined in the Constitution is that the property rights of an individual can never overcome that which is the common good for all people. The property rights of Adams mine to dispose of waste in that mine cannot, and never should, overcome the rights of all people to a safe and clean environment, the rights of the people of Ontario to be protected from poisoning their wells or their ecosystems, as was done in Walkerton.

That is why I will be supporting this legislation and why I must, with respect, speak against the member for Whitby-Ajax.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I listened carefully to the member for Whitby-Ajax.

Let me begin by saying that, first of all, throughout the law of the province of Ontario, indeed most jurisdictions, there are reasonable limits put on the issue of property rights. We have expropriation rights in this province, compensation rights in this province, for instance. So this is not either out of line or out of character with other laws. I think the member for Beaches-East York related that. What also comes into play is the definition of the broader public interest versus the narrow interest.

The member for Whitby-Ajax was a member of a government, for instance, that used something called King Henry VIII clauses in bills. What those are—because we haven't used one yet—is where you put a clause in a bill that would allow a government to amend the same legislation by regulation; that is, change a law without going back to the Legislature for debate or for voting on it.

I'd say to the member for Whitby-Ajax, the reasonable limitations that have been put into this bill to protect the broader public interest are consistent with what govern-

ments in this province and throughout this country, indeed throughout most western democracies, have practised.

What is passing strange is that a member of a party that did things like Henry VIII clauses in legislation, that did things like—I remember Bill 26, the omnibus bill; they didn't even want to have public hearings on it. It changed most of the major statutes governing this province. They brought in a set of amendments, 200 pages at 4 o'clock in the afternoon, and wanted passage at 6 in the afternoon. It's passing strange that that member would now find an interest in due process and fairness, but then he was part of a government that took the budget right out of this Legislature and wanted to have it at an auto parts firm last year.

There are reasonable limits, I say to the member for Whitby-Ajax, with respect to property rights. Number one, governments have expropriation powers that have been used before. This is nothing new, but this is an important public initiative.

**Mr Hudak:** I'm pleased to rise and offer comment on the remarks by the member for Whitby-Ajax, who makes an excellent point. Regardless of how you felt about Adams mine and the decision by Kirkland Lake and the city of Toronto, if members support this bill, they are supporting the abrogation of property rights retroactively on Adams mine.

They went through a very arduous, painstaking environmental assessment process, went through all the proper rules and regulations and now, several years hence, to go back in time and change a process retroactively is a very dangerous thing to do and a vote that should not be taken lightly simply because the Premier's office tells you how to vote. This is not about Adams mine specifically. It's about going back in time and abrogating property rights and changing the rule of law retroactively.

I will make that point again. There was a referendum in the host community of Kirkland Lake that very clearly said they were a willing site. There was probably no other issue of note on the agenda that year at council when the outgoing mayor campaigned against Adams mine. The incoming contestant, who won an overwhelming majority of the votes, said, yes, Kirkland Lake was a willing site. In fact, the members of council, if I recall, almost unanimously were supporters of the Kirkland Lake Adams mine project. So not only are you retroactively taking away property rights, you're overriding a legitimate vote by municipal council and the people of Kirkland Lake in support of this project.

I think there is cause for great concern with the "nanny Premier" approach that we've seen from Dalton McGuinty to date: that the Premier knows best and has taken away property rights, campaigned against individual choice and has shown a disdain for supporters of independent schools, to name just a few.

1630

**Mr Dave Levac (Brant):** I appreciate the opportunity to engage in this debate again. I want to bring this to the

House's attention one more time to make sure we clearly understand the process. Toronto originally agreed to this. They took a vote and it went through proper channels, with the understanding that as the vote took place they would then do due diligence and do the study and negotiate what was going to happen. Do you know what we came back with? We came back with the proponent, who said, "We are not going to take any liability if this project doesn't work right."

Toronto had to take responsibility for Kirkland Lake's project if it failed, if the liner broke, if there was a disaster that took place during this. So the proponent himself said in the negotiation, "We will not take liability for this project," and put it back on to Toronto. Toronto basically said, "Not a chance. So the science that you're talking about is not going to be backed up? You're not that confident? You don't want to support this?"

They were so in a hurry to get this project through, and the proponent was absolutely convinced, with all the supposedly—we're hearing from the people who are opposed to this bill, "Hey, wait minute. There's no science that says anything about that. There's no science that says this was a bad project or there's nothing wrong with it." Then why did the proponent go back into the negotiations and say, "We will not take any liability whatsoever for this project," and give it back to Toronto? Toronto wisely said, "You know what? We should be voting against this because something is in the air. They're not so sure about their science."

Then we had Dr Howard, the hydrologist from the Walkerton report, who said in nutshell, "This is a crapshoot. Don't take a chance on this one because it's not quite right. There's something wrong here."

So there is some science involved in this and some politics going back and forth about whether we should be doing this project. Quite frankly, this is the right thing we should be doing with this bill.

**The Deputy Speaker:** The member for Whitby-Ajax has two minutes to reply.

**Mr Flaherty:** This is exactly what the problem is. Here are these politicians who sit in this place, they vote for an environmental assessment process and they say that should be the law in Ontario. When people want to do business in the province, they follow the process at great expense, they get it approved, following the process that these politicians vote for, and then these politicians, and the member for Brant and the member for Beaches, say, "Oh, no. We don't like the result." So we arbitrarily are going to change the law retroactively. That's the problem. Don't you get it?

It's the same thing with the member for Windsor-St Clair. He doesn't understand expropriation. Expropriation is proactive. It goes forward and provides full compensation. That's the problem. We're not saying to change the expropriation rules, or least this government isn't yet saying that—they might. We know that Prime Minister Chrétien tried to do it with a terminal at the airport. It cost a fortune to all of us taxpayers in Canada when the courts said, "Oh, no." They understand the rule

of law even if the member for Windsor-St Clair does not. Clearly he does not understand the rule of law.

Listen, the principle is this: People are entitled, in Ontario, to know the rules as they're laid down by the Parliament of Canada and the Legislative Assembly of Ontario and their municipalities. They're entitled to know and they're entitled to rely on those rules. They shouldn't have politicians coming to this place in 2004, saying, "We're going to retroactively change the rules that were established back in the 1990s."

*Interjection.*

**Mr Flaherty:** You can do it proactively; you can do it going forward. The member for Windsor-St Clair is yakking again; he's still talking about the Expropriations Act. He doesn't understand the difference between retroactive legislation and legislation that is not retroactive.

It's about fairness and predictability for people in Ontario. Just because the Legislative Assembly is in session, that doesn't mean their property should be in danger.

**The Deputy Speaker:** Further debate?

**Mr Prue:** It is indeed a pleasure and a privilege to stand and speak to this issue again. I take myself back to the old city of Toronto. There was a debate there; it was the longest debate on a single issue in the history of the city of Toronto council. It lasted over seven days. There were speakers on all sides of the issue. There were over 100 motions made. In the end, as has already been stated by the government whip, the majority of the city of Toronto council voted to allow the Adams mine to go through. They did so, which I think was a bit of a poison pill, on the condition that the proponents of the Adams mine, those who stood to make hundreds of millions of dollars in profit from the dumping of Toronto's garbage, would have to accept liability if anything went wrong. That was a poison pill that the proponents refused to swallow, and in the end, in spite of the city of Toronto's willingness to go along with that scheme, it floundered and failed. It floundered and failed, with the greatest of respect, because the garbage never should have been put there in the first place. It is not a location where one could feel comfortable and assured that the garbage and the leachate that result from it would not end up in the groundwater and would not destroy what is in that surrounding area: largely pristine land, forest and lakes.

Those of us at city of Toronto council who opposed this from the beginning—and I am the only one in the Legislature here today who was like that—did so for a reason, a very solid reason, and that is because we believe that our society is a wasteful one. We believe that far too much garbage—in fact, more garbage per capita is dumped in Canada and in Ontario than literally anywhere else in the world. We believe there is an opportunity here to not be so wasteful. In fact, if you look at the whole history of the world in terms of garbage—and I like to do that as an anthropologist—if you look at garbage, if you're an anthropologist and you like digging for bones, you will always go to what the anthropologists call a midden, because it is in the midden where you find the

evidence of past civilizations. "Midden" is a British word that means garbage dump, for lack of a better translation. You will go there, back to the Stone Age, to the time of Neanderthal man, and you will find layers upon layers of their garbage. The amazing thing about those people is that they didn't have that much garbage because they didn't have that much, but when they had it, they kept the garbage close to them. So when you went into the cave or outside of the cave, that is where you'd find where they dumped it.

We have not progressed, as a society, very far beyond Neanderthal man because we still do the same thing with our garbage. We still bury it. We still do the same thing that cave people, cavemen, troglodytes did all those many years ago: We bury it. But the only thing that has happened that is different today from 80,000 years ago is that we no longer bury it in our cave or outside of our cave; we truck it enormous amounts of distance and put it in somebody else's backyard.

Throughout the history of people, all of known history—at first, after towns were built some 12,000 to 18,000 years ago, depending on which historian or anthropologist you might believe, you will find that the garbage inside the town or city was invariably put outside the wall. They didn't keep it inside the wall. They were smart enough not to keep it inside the wall of the first walled communities like Jericho. They put it outside the wall. In fact, if you look at the Talmudic tradition, you will see that there was even a prescribed distance in the number of cubits that it had to be away from the city itself.

After that, you start to look at the cities and the towns as they grew and you would see that the same thing happened, that the garbage was never allowed within the city or the town proper. It was always taken outside and buried just beyond where people could see it. You can see that here in our own city of Toronto. Toronto has over 200 garbage dumps that are now located in the new city of Toronto. In fact, 25 of them are in East York. People used to take their garbage from Toronto and bury it in East York because then they didn't see it, and then East York used to take their garbage and bury it in Scarborough, and Scarborough took their garbage and buried it in Pickering. That's all we have ever done as a society.

I will tell you, if we can send a person to the moon and we can make transistors this big and replace people's hearts, and engineers can do a million things, the only thing we can't do or haven't put our minds to is the same as Neanderthal man. All we do now is put it on a truck and send it to Michigan or we put it on a train and send it to Kirkland Lake.

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What I am asking this Legislature to do is to look beyond that: look at what we can do that is realistic. We can do things that other countries do. We can actually recycle and reuse the majority of our garbage. It's not cheap. It is not like putting it in a hole and putting some dirt on top of it. That's about \$56 a tonne. If you are

going to source-separate it, if you are going to use it again, you are talking probably twice that price, but in the end you are doing a far greater thing for the environment.

Just to go back to East York again, today it's a lovely park; at least that's what everybody thinks: "Stan Wadlow Park; what a lovely park." And it is a beautiful park; the kids play baseball there. But we wanted to put in, and we're trying to put in, a very small garden so that people who live in apartments around there can do some gardening and grow some vegetables. But we can't—at least, we may not be able to—because it's located on a dump. So it may not be useful for things in a pristine area—at least everyone thinks it's pristine—for how they would want to use the land.

I am asking this Legislature to do the same thing for Kirkland Lake that I wish had been done for East York all those many years ago: Stop burying the garbage. This is a step that will not allow it to be buried in Kirkland Lake and will not allow it to be buried in any other lake. With the greatest of respect, this Kirkland Lake pit is hardly a lake. I want to tell you, there's one thing that I really do—just breathe back a little bit. It is an oligotrophic body of water. That means a body of water in which nothing will grow. There are no fish. There is no seaweed. There are no insects. There is nothing that grows in it. It's dead. It's like the Dead Sea. It is dead not from salt like the Dead Sea, but dead because it is acidic and dead because it has mine tailings and dead because it's dead. In any event, please don't call it a lake. I have heard a couple of people.

We need to do things in short-term solutions. We need to put down some tax regimen here that would force people who use excessive packaging to have to pay for that excessive packaging. You know, you sometimes go to the store and buy little, tiny things in great big packages. It's all designed to make it saleable. If that's the design, to make it saleable, than people who put it in that package should have to pay for that packaging.

We need to go back to a system of returnable bottles, particularly in the liquor store, the world's largest importer of wines and spirits. We need to make sure that those bottles are returnable so that they come back and they are not smashed on the ground, as one will see; they do not end up in the garbage sites but in fact are recycled like beer bottles in Ontario, where there is a 98% return rate and they can be reused. It is a very simple matter of putting down the money on deposit and then ensuring that there are standard bottles that can be used, not once, not twice, but 20 times, just like a beer bottle is used today.

We need to ensure that composting takes place everywhere, but most importantly, we need to get to a system of source-separation. In Europe and in many places they have people with great big gloves who work there by the conveyor belts, taking out the garbage that is useful and throwing the stuff that's compostable. Yes, that costs money; yes, it's not very nice job but, yes, there are people who will do it and, yes, we need to do it. It is far

better than doing what Neanderthal man and those Cro-Magnons did all those years ago. You don't just bury it somewhere else and worry that someone else will worry about it—if not in this generation, then in the next.

We need a sea change in attitude. I see some of that attitude in this bill and that's why I am supporting it. What you are doing for Kirkland Lake should be done all across this province. We cannot be duped any longer by the likes of McGuinty—and I'm not talking about the Premier here, but about his cousin—and Mike Harris, who were able to prey upon a very, very weak city of Toronto council. We need to make sure in this province that all of the cities, all of the towns, all of the communities have an opportunity to do what is right, and that is to get rid of our garbage internally, within the city and the town that produces it, because, in reality, no one else will want your garbage. They may want it now, but they'll curse you in years to come.

**The Deputy Speaker:** Questions and comments?

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I am pleased to have an opportunity to have two minutes to make some comments regarding the comments of the member for Beaches-East York. I agree, to great extent, with what he had to say. We were both on city council for the city of Toronto and dealt with this issue, I think, over seven or eight days. The debate was placed before us, the issues were placed before us, and we voted in different ways. The member from Beaches-East York voted against sending the garbage up to Kirkland Lake and I voted in support of it. The reason I did that at the time was that there was really no alternative, except to send the garbage to Michigan, which is now what has happened.

In the end, when we did approve the project, conditions were placed on it, including due diligence that had to be done by the proponent, Mr McGuinty—no relation to our Premier. When those various conditions were shown to the proponent, he could not fulfill them. He came back and, as the member from Brant indicated, said, "Toronto, you take care of it." At that time, we killed the project, put our garbage into trucks and sent it down to Michigan. So I agree with what the member for Beaches-East York has to say. We require a long-term solution. We have to start looking at recycling and reducing the amount of waste that goes into landfill sites.

This bill is the first step moving in that direction. It's saying, "No more putting garbage into an open pit." Perhaps at some point legislation can come forward that could say, "No more shipping it to Michigan or pushing it into other jurisdictions or other places." Eventually, hopefully some legislation will come forward that supports recycling to a greater extent and also penalizes those companies that produce great amounts of packaging for their products. This bill is the first step. I'm happy to speak in support of what the member from Beaches-East York has to say and also to support the bill that is before us today.

**Mr Jerry J. Ouellette (Oshawa):** It's a pleasure to respond to the member from Beaches-East York.

The history of garbage goes back a long way in the province of Ontario—and how it's managed right in our own municipality of Oshawa, where once it was always buried. Then Sault Ste Marie initiated a program where all they were doing was burning it. Then they moved forward and started burning it, and then we were into recycling and what takes place with recycling. Now, quite frankly, my God, we have four bins out there every time the recycling truck goes around. We have more recycling, which is a great way to go, but what are we going to do with the garbage we have now, and how are we going to take care of that very significant issue?

Not only that, but essentially when you are dealing with this issue, as the member from Beaches-East York said, it is a very dead area because of the tailings that take place there. Not only does the tailing issue have to be dealt with in that area, and the acidity in the water, but there are also a series of water retention dams in that area. The current owner of those dams was taking on liability and responsibility for that. The province will then take ownership and responsibility, I would expect, as it comes forward. I know the minister is listening to this, because it is going to be something they are going to have to look at: taking responsibility for those water retention dams, making sure they are in good, safe form, or they're going to have to take them apart, with the impact of what happens there.

Also, I think the key to this whole issue is, what are you going to do with the garbage afterwards? Where is the long-term plan and how are you going to implement it? Are we putting the cart before the horse on this particular issue?

Should Michigan shut down the borders, where do we, as the province of Ontario, look to dispose of the garbage? I know the region of Durham utilizes the services there. Where are we going to go at a later date, and how are we going to implement that? What sort of timelines are in place if all of a sudden Michigan, as they did once upon a time, says, "It's closed at 12 o'clock"? We've got about three and a half days, I think, of storage area before the municipalities are in big trouble.

I thank you for the opportunity to respond.

**Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale):** It is my pleasure to join the debate on Bill 49 with the honourable member from Beaches-East York and the member from Scarborough Southwest.

On October 2, 2003, the people of Ontario opted for a real, positive change in Ontario. They told us they want cleaner communities and safer communities so that their quality of life can be improved.

This Bill 49 is about protecting the environment, and this bill is about respecting communities. The Adams mine landfill proposal has been draining the energy and resources of local communities too long. It's time to put an end to it once and for all, and that is what Bill 49 is all about.

This government is delivering a real, positive change to protect and maintain clean, livable communities. The government is committed to creating a more effective

and efficient process for waste. We need to act on reducing waste going to disposal, because we are running out of landfill capacity. The Adams Mine Lake Act, 2004, fulfills this government's commitment, and that's why I support this bill.

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**Mr Hudak:** I'm pleased to offer comments on those of the member for Beaches-East York and others. Of course all members agree that we need to take care of our own garbage. The point we're trying to make is that if you shut off the Adams mine option, let alone the retroactivity for this part of the debate, what is the alternative? This turns that old expression about a bird in the hand being worth two in the bush on its head, because the Liberal government has chosen to go for the two in the bush, so to speak. By 2008, they hope and pray we'll have achieved a 60% diversion rate for residential and ICI waste. That's what your plan is. There's no other plan.

**Mr Levac:** You're cynical.

**Mr Hudak:** I hate to be cynical, but I am skeptical. And I think I have good grounds for skepticism, because in support of this bill there was not one penny for waste diversion.

**Mr Levac:** Germany did it.

**Mr Hudak:** The member says Germany did it. I'll bet you dollars to doughnuts, or marks to doughnuts, that the Germans set aside some funding to support this or mandated it through legislation or maybe a combination of both. There is no alternative here.

You say we're going to reach 60% diversion. I understand California has been making the attempt for years upon years with tens of millions of dollars of support and they're still not there, and they're seen as world leaders in this area. If that is your only alternative, then you really have to put some resources into this. You can't just try to cajole or persuade the municipalities to hit 60%, because it's expensive.

**Mr Levac:** We're just getting started.

**Mr Hudak:** You're just getting started. Maybe we'll see support for this in the May 18 budget, but I don't believe it, and I think it's dangerous to go for the two-in-the-bush strategy. What I think this may trigger is a resurrection of the Interim Waste Authority, where members of the Liberal side will be travelling across the province trying to find a new dump site for Toronto's garbage, and I wish them luck. That's going to be a big bonfire.

**The Deputy Speaker:** The member from Beaches-East York has two minutes to reply.

**Mr Prue:** I thank the members from Scarborough Centre, Oshawa, Bramalea-Gore-Malton-Springdale and Erie-Lincoln for their comments. In the short time, I just want to talk about a couple of those comments.

The city of Toronto will find itself in a problem, because the deal that was made with the state of Michigan and with the landfill sites—there are actually two of them in that state—will expire in a couple of years. Upon the expiry of that landfill site, I would hazard that the gov-

ernment of Michigan will do everything in its power to stop the transmission of garbage to that state, as they probably should and as I would. If they were pumping garbage from Michigan to Toronto, I would be equally upset, I am sure. So this Legislature is going to have to deal with that issue.

As the member from Erie-Lincoln said, we need to find an alternative. That alternative can take many forms. It can be the 60% diversion, if we are good enough to do that, but it is going to take will and it is going to take money. It is going to take the will to insist on returnable bottles and all that entails, because a great deal of what is being sent to the Michigan landfill sites now is returnable bottles, and that is causing them a problem because they don't allow returnable bottles in their own garbage stream.

The second thing we're going to have to do is source separation. We're going to have to find alternatives to simply putting the garbage in a hole. Not to go back on what I said before, but if Neanderthal man was forced to do that, surely we are not. Surely we have a technology that will allow us to do other things with that garbage.

I am looking for some leadership from this government, because they campaigned on this. I am not looking for more landfill sites across the province. If you heard anything from me today, it's do not foist on some other community what you're taking away from Kirkland Lake. They did not deserve it; other communities do not deserve it as well.

**The Deputy Speaker:** Further debate?

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** I'm pleased today to speak to Bill 49, An Act to prevent the disposal of waste at the Adams mine site and to amend the Environmental Protection Act in respect of the disposal of waste in lakes. When the Minister of the Environment introduced this legislation, I was a little bit taken aback, how she acted so quickly. To me, it was acted upon quickly because it was the Minister of Natural Resources who had placed his seat on the line, so to speak, with respect to this act.

The Adams mine had all the approvals. There are some experts who say that it was the most logical, environmentally sound place to put garbage in the entire province. With respect to that, the government decided, "We've got to do something and we've got to do it quickly," particularly because of the fact that the Ministry of the Environment had done such a poor job in meeting their election commitment with respect to the Oak Ridges moraine.

The government had gone on ad infinitum about how they were going to stop development on the Oak Ridges moraine. Well, lo and behold, it turned out that they were going to be able to do no such thing. It came about that they reduced the number of homes by 900 or something on the Oak Ridges moraine. They were under a great deal of pressure by the environmentalists to do something, and do something fast, because they were losing their support and losing the confidence of that group.

So out comes Bill 49, the Adams mine act. The minister hastily decided that forever—forever—we will not

ever be allowed to consider the Adams mine as a place to put Ontario's garbage. Forever. Not for 10 years—forever.

I do want to compliment the Minister of Natural Resources for having that kind of influence on his government, that he was able to force them to shut down the idea of putting garbage in the Adams mine. I only hope that the minister would have put his reputation and his seat on the line with respect to the position he took, which was the same position as mine, with respect to the spring bear hunt, where he said, "I'm going to see that that spring bear hunt is reinstated." If he had only taken that position with the spring bear hunt, we would have the bear problem in my riding and many ridings like it solved or be on our way to solving that problem, because the minister would have put his reputation and his seat on the line. Either that would have happened or we'd have an empty seat across from me, on the other side of the House, and we'd have to have a by-election, probably would have had one just before the budget. Anyway, the Minister of Natural Resources didn't put his seat on the line for the bear hunt, but he did do it for the Adams mine.

The member for Beaches-East York talked about it, others have talked about it, but most recently him, because he was just the last one to do the debate. He asked, "What are we going to do with the garbage?" At any time politics is a funny thing, as the people across on the other side will know, because this whole act is about politics. It's not about environment. It is about politics. Politics is a funny thing.

The member from Beaches-East York has said that if he was a Michigan legislator, he wouldn't be allowing Toronto garbage in his state. What is going to happen on that fateful day—and it's going to come—when the government of the state of Michigan says no to the over 100 trucks a day hauling Toronto's garbage to their state? What is going to happen? What is the contingency plan of this government?

This government has gone ahead with this Adams mine act with no plan for the future. That is absolutely irresponsible. You have got to be prepared for the future or you're going to create more problems than you think you're solving.

This was all about placating vocal environmentalists so that they wouldn't be on their case. That is not a good solution for the people of Ontario. It's not a good solution for Toronto's garbage. When that day comes—and it's coming; it could come tomorrow—the city of Toronto is not going to solve its garbage problem. They're going to go right back to the provincial government and say, "What are you going to do for us now?" This government is going to say, "Well, we don't know." "What about the Adams mine?" "We can't put it in the Adams mine. We closed it forever. It's gone." Those are the kinds of things we really should be asking ourselves. What have we done, with the creation of this bill?

The member for Whitby-Ajax, a very accomplished legal mind, brought up a very good point: What about the

rights of people in this province? If a government can say in this act, "Your rights are not important," who is next? Is it me? Is it my property? Is it you, Mr Speaker? Who is next? Can the government simply walk in and say, "You have no right to challenge our decisions"? That flies in the face of democracy. It flies in the face of freedom.

I am very concerned about the ramifications of this act. There are very dangerous precedents being set here.

On the Ministry of the Environment: There's just a terrible problem going on in that ministry. As a rule, I have to tell you about regulation 170/03. This regulation—and I know members opposite are going to go on and say, "Well, that bill was passed by the previous government. That's yesterday's news." The chickens are coming home to roost on their watch. You know the chicken? He's in, as you well know, chicken supper. But he ain't going to be served this year, because they can't run it, because the regulations are going to put them out of business. So the chickens won't come home to roost, but this government will be responsible for shutting down those great events in my riding and every rural riding across this province.

**Mr Flaherty:** They promised a chicken in every pot.

**Mr Yakabuski:** A chicken in every pot; yes.

This regulation 170/03: You know, legislation sometimes can be very vague, Mr Minister—Mr Speaker; I'm sorry. I think you should have been in cabinet. Anyway, it can be vague. But it's when the regulations are enacted that we find out what's really going to happen.

I was at a meeting last Thursday night and I am going to tell you, the atmosphere there was just wild. They'd just had enough. The Ministry of the Environment is now coming in and is going to tell them what they can drink. I mean, it's about health, and they're going to tell us they're worried about the environment. What are they going to tell us we've got to do in rural Ontario? Pour more chlorine into the ground. Are they worried about the environment? They're going to take every little campsite and say, "You've got to have a chlorination system on your little campground." They're going to tell the restaurant outside of town that's not on a treated system, "Chlorinate your water." I'm so upset about this that I'm moving for adjournment of the debate.

**The Deputy Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1704 to 1734.*

**The Deputy Speaker:** Order. Will the members please take their seats.

Mr Yakabuski has moved adjournment of the debate. All those in favour will please stand.

Thank you. Take your seats.

All those opposed will please stand.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 9; the nays are 42.

**The Deputy Speaker:** I declare the motion lost.

Further debate?

**Mr Yakabuski:** I am very disappointed with that number. I was discussing in the interim time with more people about this regulation 170/03, and it did nothing to calm me down. Quite frankly, the implementation of it is so wrong, it leaves me no choice but to move adjournment of the House.

*Interjections.*

**The Deputy Speaker:** Order. Take your seats, please. Mr Yakabuski has moved adjournment of the House.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1737 to 1807.*

**The Deputy Speaker:** Would all those in favour please stand.

Thank you. Take your seats.

All those opposed will please stand.

Thank you. You may take your seats.

**Clerk of the House:** The ayes are 6; the nays are 40.

**The Deputy Speaker:** I declare the motion lost.

It being past 6 of the clock, this House is adjourned until 6:45 of the clock.

*The House adjourned at 1808.*

*Evening meeting reported in volume B.*







**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman

Speaker / Président: Hon / L'hon Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
<b>Arnott, Ted (PC)</b>	Waterloo-Wellington	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Arthurs, Wayne (L)	Pickering-Ajax-Uxbridge	Parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire au président du Conseil de gestion du gouvernement
Baird, John R. (PC)	Nepean-Carleton	
Barrett, Toby (PC)	Haldimand-Norfolk-Brant	
<b>Bartolucci, Hon / L'hon Rick (L)</b>	Sudbury	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
<b>Bentley, Hon / L'hon Christopher (L)</b>	London West / London-Ouest	Minister of Labour / ministre du Travail
Berardinetti, Lorenzo (L)	Scarborough Southwest / Scarborough-Sud-Ouest	
Bisson, Gilles (ND)	Timmins-James Bay / Timmins-Baie James	
<b>Bountrogianni, Hon / L'hon Marie (L)</b>	Hamilton Mountain	Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse , ministre des Affaires civiques et de l'Immigration
<b>Bradley, Hon / L'hon James J. (L)</b>	St Catharines	Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs
Brotin, Laurel C.(L)	Etobicoke-Lakeshore	Parliamentary assistant to the Premier / adjointe parlementaire au premier ministre
Brown, Michael A. (L)	Algoma-Manitoulin	Parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire au ministre des Richesses naturelles
Brownell, Jim (L)	Stormont-Dundas-Charlottenburgh	
<b>Bryant, Hon / L'hon Michael (L)</b>	St Paul's	Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique
Cansfield, Donna H. (L)	Etobicoke Centre / Etobicoke-Centre	Parliamentary assistant to the Minister of Energy / adjointe parlementaire au ministre de l'Énergie
<b>Caplan, Hon / L'hon David (L)</b>	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint
<b>Chambers, Hon / L'hon Mary Anne V. (L)</b>	Scarborough East / Scarborough-Est	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Chudleigh, Ted (PC)	Halton	
Churley, Marilyn (ND)	Toronto-Danforth	
Colle, Mike (L)	Eglinton-Lawrence	
<b>Cordiano, Hon / L'hon Joseph (L)</b>	York South-Weston / York-Sud-Weston	Parliamentary assistant to the Minister of Finance / adjoint parlementaire au ministre des Finances
Craitor, Kim (L)	Niagara Falls	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
<b>Crozier, Bruce (L)</b>	Essex	Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
<b>Curling, Hon / L'hon Alvin (L)</b>	Scarborough-Rouge River	Speaker / Président
Delaney, Bob (L)	Mississauga West / Mississauga-Ouest	
Dhillon, Vic (L)	Brampton West-Mississauga / Brampton-Ouest-Mississauga	
Di Cocco, Caroline (L)	Sarnia-Lambton	Parliamentary assistant to the minister responsible for democratic renewal / adjointe parlementaire au ministre responsable du Renouveau démocratique
<b>Dombrowsky, Hon / L'hon Leona (L)</b>	Hastings-Frontenac-Lennox and Addington	Minister of the Environment / ministre de l'Environnement
Duguid, Brad (L)	Scarborough Centre / Scarborough-Centre	Parliamentary assistant to the Minister of Municipal Affairs and Housing (Urban) / adjoint parlementaire au ministre des Affaires municipales et du Logement (Secteur urbain)
<b>Duncan, Hon / L'hon Dwight (L)</b>	Windsor-St Clair	Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Eves, Ernie (PC)	Dufferin-Peel-Wellington-Grey	Leader of the Opposition / chef de l'opposition
Flaherty, Jim (PC)	Whitby-Ajax	
Flynn, Kevin Daniel (L)	Oakville	
Fonseca, Peter (L)	Mississauga East / Mississauga-Est	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire au ministre de la Santé et des Soins de longue durée
<b>Gerretsen, Hon / L'hon John (L)</b>	Kingston and the Islands / Kingston et les îles	Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
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Hampton, Howard (ND)	Kenora-Rainy River	
Hardeman, Ernie (PC)	Oxford	
Hoy, Pat (L)	Chatham-Kent Essex	
Hudak, Tim (PC)	Erie-Lincoln	
Jackson, Cameron (PC)	Burlington	
Jeffrey, Linda (L)	Brampton Centre / Brampton-Centre	
<b>Kennedy, Hon / L'hon Gerard (L)</b>	Parkdale-High Park	Minister of Education / ministre de l'Éducation
Klees, Frank (PC)	Oak Ridges	
Kormos, Peter (ND)	Niagara Centre / Niagara-Centre	
Kular, Kuldip (L)	Bramalea-Gore-Malton-Springdale	Parliamentary assistant to the Minister of Citizenship and Immigration / adjoint parlementaire à la ministre des Affaires civiques et de l'Immigration
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Lalonde, Jean-Marc (L)	Glengarry-Prescott-Russell	
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Levac, Dave (L)	Brant	Chief government whip / whip en chef du gouvernement
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Martiniuk, Gerry (PC)	Cambridge	
Matthews, Deborah (L)	London North Centre / London-Centre-Nord	Parliamentary assistant to the Minister of Community and Social Services / adjointe parlementaire à la ministre des Services sociaux et communautaires

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<b>McGuinty, Hon / L'hon Dalton (L)</b>	Ottawa South / Ottawa-Sud	Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales
McMeekin, Ted (L)	Ancaster-Dundas-Flamborough-Aldershot	Parliamentary assistant to the minister responsible for seniors / adjoint parlementaire au ministre délégué aux Affaires des personnes âgées
McNeely, Phil (L)	Ottawa-Orléans	
<b>Meilleur, Hon / L'hon Madeleine (L)</b>	Ottawa-Vanier	Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound-Muskoka	
Milloy, John (L)	Kitchener Centre / Kitchener-Centre	Parliamentary assistant to the Minister of Intergovernmental Affairs / adjoint parlementaire au ministre des Affaires intergouvernementales
Mitchell, Carol (L)	Huron-Bruce	Parliamentary assistant to the Minister of Agriculture and Food / adjointe parlementaire au ministre de l'Agriculture et de l'Alimentation
Mossop, Jennifer F.(L)	Stoney Creek	Parliamentary assistant to the Minister of Culture / adjointe parlementaire à la ministre de la Culture
Munro, Julia (PC)	York North / York-Nord	
Murdoch, Bill (PC)	Bruce-Grey-Owen Sound	
O'Toole, John (PC)	Durham	
Orazietti, David (L)	Sault Ste Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Parsons, Ernie (L)	Prince Edward-Hastings	Parliamentary assistant to the Minister of Transportation / adjoint parlementaire au ministre des Transports
Patten, Richard (L)	Ottawa Centre / Ottawa-Centre	Parliamentary assistant to the Minister of Education / adjoint parlementaire au ministre de l'Éducation
<b>Peters, Hon / L'hon Steve (L)</b>	Elgin-Middlesex-London	Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation
Peterson, Tim (L)	Mississauga South / Mississauga-Sud	Parliamentary assistant to the Minister of Tourism and Recreation / adjoint parlementaire au ministre du Tourisme et des Loisirs
<b>Phillips, Hon / L'hon Gerry (L)</b>	Scarborough-Agincourt	Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement
Prue, Michael (ND)	Beaches-East York / Beaches-York-Est	
<b>Pupatello, Hon / L'hon Sandra (L)</b>	Windsor West / Windsor-Ouest	Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Qaadri, Shafiq (L)	Etobicoke North / Etobicoke-Nord	Parliamentary assistant to the Minister of Children and Youth Services / adjoint parlementaire à la ministre des Services à l'enfance et à la jeunesse
Racco, Mario G. (L)	Thornhill	
Ramal, Khalil (L)	London-Fanshawe	
<b>Ramsay, Hon / L'hon David (L)</b>	Timiskaming-Cochrane	Minister of Natural Resources / ministre des Richesses naturelles
Rinaldi, Lou (L)	Northumberland	Parliamentary assistant to the Minister of Public Infrastructure Renewal / adjoint parlementaire au ministre du Renouvellement de l'infrastructure publique
Runciman, Robert W. (PC)	Leeds-Grenville	
Ruprecht, Tony (L)	Davenport	
Sandals, Liz (L)	Guelph-Wellington	Parliamentary assistant to the Minister of Community Safety and Correctional Services / adjointe parlementaire au ministre de la Sécurité communautaire et des Services correctionnels

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
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Sergio, Mario (L)	York West / York-Ouest	Parliamentary assistant to the Minister of Consumer and Business Services / adjoint parlementaire au ministre des Services aux consommateurs et aux entreprises
Smith, Monique M. (L)	Nipissing	Parliamentary assistant to the Minister of Health and Long-Term Care / adjointe parlementaire au ministre de la Santé et des Soins de longue durée
<b>Smitherman, Hon / L'hon George (L)</b>	Toronto Centre-Rosedale / Toronto-Centre–Rosedale	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
<b>Sorbara, Hon / L'hon Greg (L)</b>	Vaughan-King-Aurora	Minister of Finance / ministre des Finances
Sterling, Norman W. (PC)	Lanark-Carleton	
<b>Takhar, Hon / L'hon Harinder S. (L)</b>	Mississauga Centre / Mississauga-Centre	Minister of Transportation / ministre des Transports
Tascona, Joseph N. (PC)	Barrie-Simcoe-Bradford	
Van Bommel, Maria (L)	Lambton-Kent-Middlesex	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
<b>Watson, Hon / L'hon Jim (L)</b>	Ottawa West-Nepean / Ottawa-Ouest–Nepean	Parliamentary assistant to the Minister of Municipal Affairs and housing (Rural) / adjointe parlementaire au ministre des Affaires municipales et du Logement (Secteur rural)
Wilkinson, John (L)	Perth-Middlesex	Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises
Wilson, Jim (PC)	Simcoe-Grey	
Witmer, Elizabeth (PC)	Kitchener-Waterloo	
Wong, Tony C. (L)	Markham	
Wynne, Kathleen O. (L)	Don Valley West / Don Valley-Ouest	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
Yakabuski, John (PC)	Renfrew-Nipissing-Pembroke	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjointe parlementaire à la ministre de la Formation et des Collèges et Universités
Zimmer, David (L)	Willowdale	
Vacant	Hamilton East / Hamilton-Est	Parliamentary assistant to the Attorney General / adjoint parlementaire au procureur général

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No. 41B

Nº 41B

ISSN 1180-2987

Legislative Assembly  
of Ontario

First Session, 38<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 3 May 2004

Lundi 3 mai 2004

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 3 May 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 3 mai 2004

*The House met at 1845.*

### ORDERS OF THE DAY

#### APPOINTMENT OF INFORMATION AND PRIVACY COMMISSIONER

**Ms Caroline Di Cocco (Sarnia-Lambton):** I move that an humble address be presented to the Lieutenant Governor in Council as follows:

To the Lieutenant Governor in Council:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the reappointment of Ann Cavoukian as the Information and Privacy Commissioner for a term of five years, commencing on July 1, 2004, as provided in section 4 of the Freedom of Information and Protection of Privacy Act, 1990.

**The Acting Speaker (Mr Joseph N. Tascona):** The member for Sarnia-Lambton may proceed.

**Ms Di Cocco:** It's a pleasure to stand today and to speak on this motion for the reappointment of our Information and Privacy Commissioner, Ann Cavoukian. I say that from not only her qualifications and her international stature, but the incredible work that she has done for us since her appointment in 1997.

When Ann Cavoukian was appointed in 1997, she was selected by a committee that consisted of all three parties: Marion Boyd of the NDP, David Ramsay of the Liberals, and David Tilson, a Conservative. Each party had one vote. She was selected in a truly non-partisan process. Her term in office has been exceptional and this assembly believes that her reappointment would be of benefit to the people of Ontario and is in the public interest.

Improving government transparency and accountability is what freedom of information and privacy is all about. It's an established underpinning, designed to protect both individual privacy and the public's right to know. It requires a strong and talented individual to move forward in her capacity to ensure that both the public's right to know as well as privacy are protected.

Dr Cavoukian's accomplishments speak for themselves. She has been a tireless advocate for freedom of information and, at the same time, a strong supporter and protector of privacy on behalf of Ontarians. Ann Cavoukian was also selected by the Privacy Manager as the privacy manager of the year in 2003. Ms Cavoukian

is also frequently called upon to speak in leading forums around the world.

**1850**

Dr Cavoukian has certainly criticized practices that she deemed objectionable at the provincial and federal levels. She has been vocal about OHIP billings, removing fraudulent entries from patients' records and protection of patients' privacy. I cannot say enough about Dr Cavoukian. This assembly is very lucky to have someone of her stature and ability to do what is fundamental in protecting the right of the public to know and also our privacy.

There are a lot of challenges in this new age of information. As we move forward with how government does business and with a well-educated and more informed population, the balance of both the right of the public to know, which is more and more to increase the transparency in how the government does its business, as well as all the information that is provided about individuals because of our technology and how greatly that has to be protected, is important. I believe that Dr Cavoukian is one of the best people in this country, and is a leader in our international jurisdictions, in her capacity to both protect privacy and talk about new ways of enhancing transparency.

I will be saying that the government and this assembly supports Ann Cavoukian's reappointment for the next five years. We look forward to working with her in the near future.

**The Acting Speaker:** Questions and comments?

**Mr Garfield Dunlop (Simcoe North):** I will be speaking to this issue in a couple of minutes, and we will be supporting the reappointment of Dr Cavoukian to this position. I look forward to hearing the debate from other members of this House.

**Mr Peter Kormos (Niagara Centre):** I appreciate and look forward to the opportunity to speak to the motion at length as the evening progresses. I see the clock has been rolled back about two minutes now. I got blessed with a couple of extra seconds I wouldn't have had otherwise, and I appreciate the brief comments from the first government speaker.

I'm very eager to see how many government members participate in the debate after all the caterwauling earlier today about sitting till midnight. Do you remember that, Mr Prue?

**Mr Michael Prue (Beaches-East York):** I remember it.

**Mr Kormos:** What's the matter? You don't want to work? That was the whining, that was the whinging that was taking place. Well, I want to see the government members work. I want to see them take to their feet, tell their constituents—

**Mr Khalil Ramal (London-Fanshawe):** We're here. We're listening to you.

**Mr Kormos:** Yes, you're here in body, but please engage, address the issues of the day, speak to the motion that's been put by your own colleague, the parliamentary assistant. Speak up, speak out, be put on the record. Stand up for what you believe in. Tell people what you do believe in. I appreciate that putting it on the record is not always easy for a Liberal, but I'm sure you can rise to the occasion this evening. By God, folks, we've got five more hours, and we've got a chance to hear from numerous government backbenchers. It's your chance to get floor time here in the Legislature. You want to participate in debate? Well, let's hear you participate in a debate. Let's hear you speak to your constituents back home. Let's hear you speak to the people who sent you here to Queen's Park. Let's hear you address the issues. Let's hear you use the time available to you. It's your opportunity. Seize it.

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I am very pleased to use the two minutes that are available to me at this time. I just want to relate a story to my colleagues here in the Legislature and to others who may be watching. When I was on the city of Toronto council, I chaired the administration committee, and one of the individuals or departments that reported to the administration committee had to do with privacy and privacy information. This job was perhaps the most difficult job in the entire city of Toronto, because this individual had to produce documents and information that oftentimes bureaucrats did not want to produce.

The most important thing I learned in my time as chair of the administration committee for the city of Toronto was to have 100% confidence behind that individual. In this situation today, I think that if we do not put 100% of our confidence behind this individual, it begins to erode and we end up on a slippery slope, and eventually people will begin to attack the Privacy Commissioner.

From what I understand and from what I was able to find out, this individual has done the job well for a number of years. The question before us today is whether or not to reappoint her. Not appointing her at this time or trying to somehow delay it or deal with it in some other way jeopardizes the entire office of the Privacy Commissioner. I saw it happen at the city of Toronto. I don't have any experience here, except for six months, but I saw it happen at the city of Toronto. She eventually left because of the erosion of her powers due to lack of confidence. We've got to show our confidence here today.

**The Acting Speaker:** The Chair recognizes the member from Timmins-James Bay.

**Mr Gilles Bisson (Timmins-James Bay):** It's quite a—

**Mr Bisson:** No, it's two minutes. I'm on top of it.

I just want to say that I don't agree with that argument for two seconds. I think it's a pretty weak argument. At the end of the day, we need to understand what these appointments are all about. They're there to serve this assembly. They're there, as officers of this House, to serve this assembly and all members of the assembly.

At the end of the day, an appointment process where people have to be interviewed is not a bad one. If people think they can get an automatic appointment, I think how they serve is approached a bit differently, and can be. That's why we, as New Democrats, strongly believe that at the end of the day, we have to have a very clean and fair process that basically says that when a person has done their first appointment—they've been interviewed in the process we've had with all three parties—and that person has served their term—we're not saying they shouldn't be included to serve a second term, but we're saying they should have to go through the process again, and for a couple of reasons.

I know that my good friend Mr Kormos is going to speak to this in some detail, and I might as well. I think we need to put a couple of reasons on the record. One is that if I'm an appointee and I know that the government is favourable to my reappointment, am I serving the assembly, or am I serving the government? That doubt is always out there. So one of the reasons I feel strongly that we have to have this process is that it's clear that the person who is basically reapplying for reappointment has to go through the interview process. So that's clean.

The second thing is that I don't accept the argument that a person says, "Listen, I'm going to leave; therefore, reappoint me," as a basis to reappoint somebody. I have great respect for the Privacy Commissioner. But if that's what her reason is, I have great difficulty, and maybe we should have an interview and appoint somebody new. No disrespect to her, but we, as members, should not be threatened—

**The Acting Speaker:** The Chair recognizes the member from Sarnia-Lambton in response.

**Ms Di Cocco:** I certainly heard the member from Niagara Centre speak to the members saying we should all be speaking on behalf of our constituents. We are, and we are here to reappoint Ann Cavoukian. Ann Cavoukian has shown by her work that she is not only capable but a leader in her capacity as Privacy Commissioner. When we talk about this place, and you want to raise the quality of the debate, I'm hoping that the debate is about reappointing Ann Cavoukian. Certainly this Legislature has great confidence in Dr Cavoukian, and has had great confidence. This is one of the occasions when I believe the third party, the seven members over there, again are playing games with this Legislature instead of trying to raise the standard with which the public expects our Legislative Assembly to behave, to be part and parcel of a democratic process and to speak to the issue. I don't really understand why the NDP feels that Ann Cavoukian should not be reappointed as the Information and Privacy Commissioner, when she was appointed in 1997 by a

*Interjection.*

very fair process of all three parties, has the background and has all of the qualifications—exemplary qualifications—and is seen as a world leader in this capacity. Now we have the third party playing games because they want to hear themselves talk in this Legislature and want us to stay here until midnight.

**1900**

**The Acting Speaker:** Just to give notice to the members, on a substantive government motion there are no questions and comments, so that will not be happening again, on your notice. The Chair recognizes the member for Simcoe North. But it was enjoyable.

**Mr Dunlop:** I'll be very brief on this government motion 55. Our caucus will be supporting the reappointment of Dr Cavoukian as the Information and Privacy Commissioner. We believe she has been an outstanding employee of the citizens of the province of Ontario. We feel that she has fulfilled her commitment in the last five years, and I look forward to seeing Dr Cavoukian continue in this position for the next five years. I can tell you that I've watched her very closely with pieces of legislation. She always has been very, very non-partisan. She's been able to give an opinion on almost any piece of legislation that was put in her direction, and she's done it with the utmost respect for the citizens of the province.

I know on a personal note, I had an opportunity to deal with Dr Cavoukian on Bill 105, which was the blood sampling act that this House passed in 2001. I had an opportunity to meet with her a couple of times during that time frame and she pointed out all the issues with the bill, how to resolve them, etc, and how to work with all the different ministries to make sure the piece of legislation was passed.

Again, as far as I'm concerned, our caucus is fully supportive of the reappointment. We think she's done a fine job, and we look forward to working with her in the future.

I look forward to the other debate tonight. I wish we could spend more time on government bills such as the budget bill. I hope we have a lot of opportunity to talk to that. I know the hydro bill is going to be an issue for the government. We look forward to a lot of debate on that. But this one, I think, is kind of a no-brainer. We expect it to be passed quickly, and I look forward to the third party debating it quickly and passing it so we can get this very valuable employee reappointed for the next five years.

**The Acting Speaker:** The Chair recognizes, for opening, the member for Niagara Centre.

**Mr Kormos:** Thank you kindly.

Oh, we've seen the thorough participation in the debate by the official opposition as well. I'm sure folks out there are impressed with the depth of the analysis, with the thoroughness of the consideration of the motion before us, with the clear understanding of the history of these appointments and the sage comprehension of what it means to be a servant and officer of the assembly rather than a servant of the government. You know, Howard Hampton, just a few minutes ago, a modest interjection

during comments by another member, spoke the name Radwanski. "Radwanski. George Radwanski." He reminded me—I had forgotten about Mr Radwanski. Mr Radwanski was considered the most impeccable and outstanding servant of the Liberal government in Ottawa.

You see, the fundamental problem here is that folks don't appear to understand that an appointment of this capacity has to have the full support of all of the House, that this has historically been done by virtue of consensus and agreement. Indeed, New Democrats raised this matter first, and most recently, on the occasion of the appointment of the Integrity Commissioner. I took a look at Hansard surrounding that motion, and you'll recall it—maybe you won't. A little bit of prompting may well permit you to understand that back in June 2001, New Democrats were very clear that they believe an officer of the assembly should be decided upon, should be chosen, should be hired, if you will, with the support of all of the House. Furthermore, there should be a process that the opportunity to apply for the job should be made available to all interested parties.

Again, we were very clear. I not only recall very clearly speaking to the matter but I checked Hansard. We were very clear that we weren't in any way being critical of Judge Osborne. Indeed, I knew Judge Osborne before that in a modest way and have gotten to know him better, like everybody else here, since his appointment and our attendances with him. I suppose it depends upon whether you were the subject matter of a complaint to the Integrity Commissioner. I must say Chris Stockwell knows Mr Justice Osborne in a far different way than I do, for instance, and he still hasn't paid that \$8,000 back; that is, Stockwell, not Justice Osborne.

I've come to know Judge Osborne, but it doesn't change the fundamental problem that the government of the day, and it was Conservatives, created in saying that this was effectively going to be a government appointment. What the government is doing today with this motion is saying, "This is going to be a government appointment." They've got a majority. Do you understand, folks? They've got a majority, and the government is not, to the discredit, quite frankly, of that office, ensuring that there is unanimity around the selection of the Information and Privacy Commissioner for the five-year term that will commence shortly.

Let's understand as well that these are five-year terms. Look at the legislation. Section 4 of the act says "five-year terms," and there is the prospect that there may be a reappointment. In other words, the act does not preclude a person from serving for subsequent terms. That's all that means: There may be reappointment. The act does not preclude that person serving more than one term.

Is there an inherent danger in people automatically serving subsequent terms? I say yes. I say that if we are to protect the offices these people are called upon to serve, and if we expect them to serve those offices and fulfill and discharge their responsibilities with courage and without fear of repercussion, we are better served by a one-term limit. There's no fear then on the part of the

person playing that role. There's no concern that he or she will not be reappointed because he or she conducts themselves or makes decisions in a particular way or draws conclusions that, for instance, may be adverse to the government of the day. There is an inherent danger in assuming that the serving and completing of subsequent terms is automatic rather than the exception.

New Democrats were very clear that New Democrats had nothing ill to say about Ms Cavoukian, but New Democrats had been adamant—we were in 2001 around the appointment of a replacement for the retiring Integrity Commissioner, we were around the matter of a successor to the Provincial Auditor and we are around the matter of the next term of office for an Information and Privacy Commissioner—that there has to be an opportunity for other parties to offer up their name. It could well be that Ms Cavoukian, because she's not precluded from seeking a second term, demonstrates herself to be the best possible candidate. I understand the disinclination that people might have of wanting to compete for a position that they've filled for five years. I understand that disinclination, and I say, quite frankly, too bad, so sad. If you're disinclined to do it, well, then, don't do it.

#### 1910

There is something incredibly effective about expressing that the term is clearly one of five years that protects the party from even the slightest hint of undue pressure being put on him or her to make a decision that's favourable to the government or unfavourable to somebody else.

You see, the problem is that not only did I review my comments from the debate in 2001, but I reviewed the comments of the now government House leader, and took a look at what Mr Duncan from down Windsor-St Clair way had to say. Fascinating, because the member for Windsor-St Clair, speaking on behalf of his caucus—once again, in that instance, members were so brave.

There was one leadoff speech by Mr Duncan from Windsor-St Clair and then deafening silence, by and large. The member for Windsor-St Clair said this on June 25, 2001, and this is the debate around the appointment of Mr Justice Osborne to the position of Integrity Commissioner. Understand what the background there was. The government wanted Mr Justice Osborne, the Liberals wanted Mr Justice Osborne, without there having been a posting of the job—not a posting but an advertisement—indicating that the job was open because of the retirement of Mr Justice Rutherford. You remember him? A delightful man.

New Democrats said no. Notwithstanding the clear qualifications of Mr Justice Osborne, of Judge Osborne, you can't just circumvent any advertising process. You can't just exclude the opportunity for any other people to apply for this position. There may well be other good people. There may be better people, I don't know. But what could be fairer to everybody involved than to say, "Well, we'll put an ad, and do what you have to do to solicit resumés and applications"? Then you go through it.

Look, I was peripherally involved. I wasn't on the committee. Mr Marchese was on the committee that selected Judge Clare Lewis as Ombudsman. I had a very strong interest in that process and spent a fair amount of time in that committee. I, quite frankly, couldn't be more pleased about the selection that was made, but there were applications by a number of very competent, qualified people. There was a clear, objective process—as objective as one could be—in creating a short list and in reviewing these good applicants. The committee did a tremendous amount of hard work. At the end of the day, Judge Lewis became our Ombudsman, knowing full well that it was for a fixed term of office.

I say that just as with an Ombudsman, just as with an Integrity Commissioner, as with the privacy commissioner, where there has to be not even the slightest hint of beholden on the part of the person selected, we have to have confidence and the public has to have confidence. We also have to address the issue of there being and there needing to be some consistency in how we go about these things.

So what did the member for Windsor-St Clair have to say back on June 25, 2001? The member from Windsor-St Clair said, "I think it's a valid point," and that is the need for a consistent process around hiring these people. "I think it's a valid point and I think it's something this House should look at, and all members should be concerned about, because the officers of the Legislative Assembly must not only be totally non-partisan, they must be seen to be non-partisan and they must enjoy the confidence of all members of the House in order to fulfill their obligations." That was 2001, almost three years ago.

He goes on to say, "It is my hope that before the next time we have to appoint an officer of the Legislative Assembly, in fact this kind of debate will happen"—that is to say, a debate around a process that's consistent from one officer to another. "I would like to see a process that's more clearly defined." He said that while he was a member of the opposition.

Now he's a member of government. He's the BMOC, as they say, big man on campus over there with the Liberals. He's their energy minister. He sits at the left hand, right hand or the feet of the Premier, whatever, and is the House leader as well.

Back in 2001, the government House leader thought that, yes, before we undertake yet another appointment, "Before that happens again"—that's what he said on June 25, 2001—"there should be a debate around the process." Well, where's the debate? No, government doesn't do that. Was it capable of doing it within the time frames? Of course it was. It was capable, as you all know, of extending Ms Cavoukian for whatever period of time necessary, for six months, for nine months, for 10 months, to accommodate the office of the commissioner while a procedure was being determined. It was capable of developing some agreement.

But, no, the government stormed its way out of any prospect of negotiating a resolution and, rather, is trying to force its will, and will force its will—

**Mr Rosario Marchese (Trinity-Spadina):** Why would they do that?

**Mr Kormos:** Because they have a majority. Why do they force their will? Because they can. All this talk, all this jabber, all this yak, yak, yak about democratic reform, and what do we get? We get some of the most pathetic disdain for democratic process that could ever be demonstrated and displayed.

Yak, yak, yak about democratic reform. Well, that was during the election, and of course—

*Interruption.*

**Mr Kormos:** Somebody turn that damn computer off here in the House. Please seize the computer, and perhaps haul the member out in leg irons. Some people have no regard for the rules around here. It just rots my socks to see people just thumbing—they're scofflaws, thumbing their nose at the rules.

Here I am making a speech, restricted by the standing orders and by precedence, and a scofflaw interrupts it with the music from some soundtrack on his iPod or whatever the heck it was. I've got to call upon the acting Sergeant-at-Arms to seize the computer. I hope that member's House leader, Mr Duncan from Windsor-St Clair, takes appropriate action.

Look, this isn't difficult. The government can exercise and abuse its majority to appoint whomever it wants. In doing so, it contradicts what has been a number of years, indeed decades, of some incredibly hard work by all three parties in this chamber to ensure that officers of the assembly have the support, the endorsement, the confidence and the trust of all members of the assembly and, furthermore, that the manner in which we choose people to fill, in this instance, a five-year term, and it's not an uncommon term for similar roles, is consistent from one time frame to the next, is fair, recognizes that there's a reason for making these—look, if the government wants to make 10-year appointments, then move an amendment to the legislation. Move an amendment to section 4. Make 10-year appointments; we'll debate that. And I suppose if the government really wants 10-year appointments, it can get them, because they have a majority over there.

We haven't seen the dissent from its backbenchers yet. It will come. There will be dissent. There will be revolt. There will be rebellion. It will be like Spartacus and the slaves when these backbenchers resist and fight back. I say to these backbenchers who find themselves whipped into voting in ways that their conscience tells them is inappropriate, wrong, indeed even immoral, that they have a lot more to be gained by standing up and speaking out against your whip and your House leader and, oh, their dispensing of little perks and the occasional junket to keep you in shape. Good grief.

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**Mrs Liz Sandals (Guelph-Wellington):** I've never been on a junket.

**Mr Kormos:** You've never been sent on the junket? OK. We know who's been denied the junkets. The member for Guelph-Wellington hasn't been on her junket yet.

You should ask your colleagues what junkets they've been on and what you've been denied. But that's the whole story around the junketing and, quite frankly, junket junkies, because what you have is a tendency for more and more people to monopolize those junkets.

Look, New Democrats were prepared to work together in House leaders' meetings to develop a process that was fair. New Democrats relied upon what the government House leader said back in 2001, when he said there should be a debate around the process. New Democrats aren't opposing this motion because we have anything ill to say about the current privacy commissioner, Ms Cavoukian. But I want to talk about George Radwanski for a few more minutes because, you see, when George Radwanski—and please don't get me wrong. I draw no comparisons between George Radwanski and Ms Cavoukian. As far as I know, Ms Cavoukian has earned every penny she has made, rather than stealing it like Mr Radwanski has. In my understanding, Ms Cavoukian has worked hard throughout her career, rather than relying upon political connections to have—what was it?—half a million dollars in income tax written off.

**Mr Marchese:** He's paying it back.

**Mr Kormos:** He's paying it back? Give me a break. Oh, yeah. They aren't giving him his \$80,000 severance package. The guy gets \$500,000 written off in income taxes by his buddy Chrétien. What a sweetheart deal that was. Lord. I've got—you do too—small business people who have gone through some pretty hard times who would love to see \$3,000 or \$4,000 worth of income taxes written off. You know them, Speaker; I know you do. They can grovel, they can beg, they can plead: No way. There's not a snowball's chance in Hades of any of them seeing that kind of largesse. But if you're a Liberal—George Radwanski has been on the Liberal payroll like Romulus and Remus, sucking, as Mr Marchese has been wont—because it's an ethnic understanding of the origins of Rome, part of the history of that great people. There's Radwanski, like Romulus or Remus, if you will, but it's not the she-wolf, it's the taxpayer of Ontario. Who's the facilitator but Jean Chrétien and the Liberals. The fascinating thing about Liberals is that when you kiss off your corrupt friends, you guys are the go-big-or-go-home kind of people, right? It's no little penny-ante stuff; it's big time, like Mr Guité.

I was listening to Mr Guité on the television up in Ottawa talking about how Paul Martin, since he has an executive assistant, has his EA do the criminal stuff, but you're still an accomplice, right? It's called a conspiracy. You get your EA to call up Guité and those people and say, "Mr Martin would rather you sent the money this way than that. Mr Martin would be so pleased."

That's what Tony Soprano says to one of his underlings when he wants somebody bumped off. He doesn't say, "I want you to shoot somebody." He says, "I'd be so pleased if you took care of my little problem over there." Then, before you know it, another character on the Sopranos is dead and written off the cast—that person's TV career is over.

Paul Martin doesn't call up and say, "I want my Liberal friend to get \$1 million or \$2 million for doing nothing." He sends his EA to say, "Mr Martin would be so pleased if you, ahem, took care of this."

Jeez, friends in high places? Friends at the depths of Liberal corruption. It's unbelievable. There's Radwanski, who not only gets a sweetheart-deal job—you see, this is the problem. He gets half a million dollars. Do you realize how you get \$500,000 in arrears of income tax? Do you know how much money you've got to make? You've got to make a whole lot of cheese, a whole lot of fromage to accumulate \$500,000 in income tax, especially when you're a wink-wink, nudge-nudge consultant for the Liberals, like Mr Radwanski was.

Do you realize that to have \$500,000 owing, he was milking around \$2 million out of the Liberals in Ottawa? Do you understand what I'm saying, folks? And he was pocketing all of it. He was doing fine. Those pockets were bulging. No wonder the Canadian mint had to stop making thousand-dollar bills. Radwanski had all of them. None of them are in circulation. It had nothing to do with drug dealers; it was Radwanski. He was getting paid off in thousand-dollar bills. They might as well delist them, stop making them, because Radwanski had them all. Why? Because he was talented? No. Because he was a Liberal.

**Interjection:** What about Tom Jakobek?

**Mr Kormos:** Tom Jakobek is a piker. Jakobek is a mini-thief. Jakobek is just a teeny criminal. Radwanski is the big one. Radwanski is a mega-thief. In the old days you used to have to rob a bank. Now you just have to know Jean Chrétien and be tight with the Liberals in Ottawa. Who knows how far that extends? Jakobek is nothing. So he pockets 25 Gs. Compared to Radwanski, that's chump change. Jakobek, with his rich father-in-law and rich spouse—you'll notice how politically correct I am—25 grand is nothing: "Why did you withdraw \$25,000 from your bank account?" "To take the kids to Disneyland." How were they getting there? Were they each buying a Rolls-Royce? Were they all going to drive down in an entourage? I've never seen \$25,000 spent on a family vacation in my life.

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**Ms Shelley Martel (Nickel Belt):** What about Stockwell?

**Mr Kormos:** Jakobek's buddy Chris Stockwell dropped a huge chunk of change on the Paris junket. He was visiting the capitals of Europe—Paris, London, Barcelona, Bucharest—I don't know—Marrakesh. Again, if there were any thousand-dollar bills left over after Radwanski stole them from the taxpayers of Canada, they were Stockwell's for the roll he peeled the cheese off to pay for him and his entourage, and he still hasn't paid back the 8,000 bucks after he got an \$85,000 severance package. You talk about Radwanski losing his \$80,000 severance package, which isn't bad; he pays 80 grand and ends up with millions. Couldn't the paymaster have withdrawn the eight grand from Stockwell's severance pay of \$85,000? It's a shame. That guy rips off the tax-

payers like that and still gets an \$85,000 severance package. It blows my mind.

The problem with Radwanski, besides him being corrupt and the Liberals being corrupt and their being thick as thieves in ripping off taxpayers and making rich people out of Radwanski and their ilk, along with the \$100 million Mr Guité tells us was—I guess that's what you'd call the trickle-down theory. That's the trickle-down theory, all right. If you're a Liberal and you're corrupt, and the two are synonymous—

**Hon Steve Peters (Minister of Agriculture and Food):** On a point of order, Mr Speaker: The member has made two references to the Liberal Party being corrupt, and that implies that the government members are corrupt. I take serious offence at that.

**The Acting Speaker:** The point of order is that you want him to deal with the motion. That's the point of order.

**Mr Kormos:** Thank you for your direction. I apologize if I offended anybody by identifying Ottawa Liberals as corrupt as a result of them spending over \$100 million of taxpayers' money on Liberal buddies in Quebec, among other places, and as a result of them taking care of their Liberal buddy Radwanski, who is a thief, who is a criminal, who should be doing hard time instead of living the life of leisure. Let's put it this way: Radwanski, Jakobek and Stockwell as cellmates; they could order pizza. Put them in a cell together and I'll buy the pizza. I'll buy a pizza a month for the next 15 years that they should be doing time.

Peters, stand up on a point of order and defend Stockwell's integrity. Go on, I dare you, please. Stand up on a point of order and defend Radwanski's integrity. Not in a New York minute. Not for a million bucks, which is half as much of what Radwanski stole from the taxpayers with the direct assistance of Jean Chrétien.

The problem is, Radwanski was hired by the government. There wasn't an impression or an appearance of impartiality or aloofness or independence from the get-go. I believe it is tragic that we are not seizing the opportunity of the completion of Ms Cavoukian's five-year term to address the whole matter of how we deal with an officer of the assembly upon the expiration of their term.

New Democrats believe that a five-year term means a five-year team and that it should only be in the rarest of circumstances that there is a repeat of it. If there is a repeat of it, it should come as a result of that person competing once again in the process. We believe there are legitimate, strong, effective and healthy arguments to be made for fixed term limits on those positions and that people should understand they're fixed terms, that the five years doesn't mean 15, it doesn't mean 10, it means 5.

New Democrats will not be supporting this motion. We fundamentally dispute and disagree with the lack of process, the lack of fairness and the lack of openness. No more backroom deals.

**Ms Martel:** I'm not sure I'm going to use all of the 20 minutes at my disposal, but there are a few things I want to get on the record. I'd like to say that I'm going to be as entertaining as my colleague Mr Kormos, but no one can possibly be as entertaining as my colleague Mr Kormos. Mr Marchese comes close, but I'm not sure if he's speaking tonight.

Let me just make some of these remarks. Let me reread the motion that's been put. It says the following:

"To the Lieutenant Governor in Council:

"We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the reappointment of Ann Cavoukian as the Information and Privacy Commissioner for a term of five years, commencing on July 1, 2004, as provided in section 4 of the Freedom of Information and Protection of Privacy Act, 1990."

My colleague Mr Kormos made it clear that we do not support the government notice of motion that has been put forward. We do not. He may have said this, and in case he hasn't, I will repeat: That is not a new position. Perhaps some of the Liberals who are here tonight are surprised we are taking this position. I heard some Liberals get, frankly, a little bit outraged that we're taking this position.

The fact of the matter is, the former government, the Conservative government, before the last election, came to our House leader, Mr Kormos, and the former government wanted us to unanimously agree or to automatically agree that the appointment of Miss Cavoukian as Information and Privacy Commissioner should be extended for another five years. They did that too.

For the record, we told the former government that no, we would not agree to an automatic reappointment. We would not give unanimous consent for an automatic additional five-year term to Miss Cavoukian. The reason we would not is because our position is, and we are articulating it here tonight, that we believe that for the position of an officer of the assembly there should be an open, transparent process to appoint that person. That was our position under the previous government; that is the position we have, on numerous occasions since then, articulated to the government. I have articulated the same to the Chair of Management Board, who talked to me probably last November about this process and wanted to know what our position was. I told him then, as my colleague Mr Kormos has told the House leader since then and as we are saying here tonight: No, that's not a process we're going to participate in. It is our clear belief that a position that is this important should have an open and transparent competition process to appoint someone who is going to serve all of us as an officer of the assembly.

By way of history as well, that was also the position we took when Judge Osborne was appointed. That was the same position we took there. I have no doubt about Judge Osborne's credentials. I'm not questioning them in the least. At the time when I spoke on that motion, as I'm speaking here tonight, I didn't focus on his credentials—

whether or not I thought he was qualified. I'm sure he was, and he has proven to be eminently qualified for that position. When I go for my annual visit once a year to disclose what little I have to disclose, it's quite a pleasure to meet and chat with him and discuss political affairs.

But the point then, and the point that we're trying to make tonight, is that we don't want to be party to a process where the government, essentially by fiat, using its majority, decides who is going to be an officer of the assembly. That's not a process I want to be part of; it's not a process I'm going to consent to; it's not a process I'm going to provide unanimous consent to—not then, three years ago when we were dealing with exactly a similar matter with respect to Judge Osborne; not under the Conservatives when they came many months ago and asked us to reappoint Ann Cavoukian; and not now, when we have the government motion before us.

Some of the members who have spoken before talked about Miss Cavoukian's credentials and what a good job she has done in her position. I don't doubt that for a moment. You know what? She came before the Bill 8 committee, which I've been serving on because I am the NDP health critic. She came with some of her officials and made very important statements about the bill and offered a number of recommendations for change. In fact, during the clause-by-clause process I took some of the suggestions that had been made by Miss Cavoukian and submitted them as amendments for Bill 8 because I thought they were reasonable, they made sense, they would deal with some of the more obnoxious portions of the bill—although we continue to oppose the bill because it remains obnoxious, but they dealt with some of the more obnoxious sections of it. I put forward the recommendations that she had made to the committee in the form of NDP amendments. Now, I wouldn't have done that if I didn't have some respect for her judgment, some understanding of the work she has done, some respect for the changes she thought she could make and why I thought the government should listen to that. I wouldn't have done that if I didn't think she had something worthwhile to offer.

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But I say to all members of the assembly, this debate tonight is not about Ann Cavoukian, individual. It's not even about her in her current capacity as the Information and Privacy Commissioner. It's about what kind of process we are going to have in this place to put in place officers of the assembly, like the Information and Privacy Commissioner, the Ombudsman, the Environmental Commissioner and the Provincial Auditor, because all of those are in the same category as officers of the assembly. All of those appointments should follow a similar process that we agree to in this assembly, a process—

**Mr Kormos:** On a point of order, Mr Speaker—my apologies to Ms Martel: To give the Conservative members a chance to come back—perhaps they're having a problem, because there are no—I'm just worried—

**The Acting Speaker:** That's not a point of order. You are not recognized, member. Could you just take your seat. The member from Nickel Belt.

**Mr Kormos:** The Speaker is here.

**Ms Martel:** The Speaker is here, but not in his capacity as a political representative. All right. Thank you for that intervention, Mr Kormos. Where was I?

**Mr Kormos:** My apologies, Ms Martel, but the Tories disappear. It's like the Bermuda Triangle.

**Mr Bisson:** Do you want to take her time?

**Ms Martel:** Let me back up, Speaker. Let me say this again. Despite some of the animosity—"animosity" is probably too strong a word. Despite some of what I heard earlier by some of the Liberal members, critical that we would dare, as a third party, to actually oppose this motion, because of course Ms Cavoukian is so talented and so respected, I make the point again and I want to reinforce it: It's not about her as an individual. It's not about her and the job she has done in her capacity as Information and Privacy Commissioner. It's not about her and the work she tried to do, for example, to expose the former government when the former government wouldn't provide information about disclosure of names and addresses of POSO recipients.

Remember that? You know, the former government? I believe Mr Eves was the Minister of Finance at the time. He was in charge at the time, and there was quite a substantial disclosure of names, addresses, account information and banking information of many individuals who used POSO, the Province of Ontario Savings Office. That has been sold. That was done under the former government. We opposed that. But in any event, before it was sold off by the former government there certainly was quite a scandal about the inappropriate disclosure of that information. I believe—somebody will correct me here—it was disclosed because some consulting firm for the government wanted to do some kind of letter campaign to get the views of all those POSO recipients about what the future of POSO should be, and what more the government could do, la, la, la.

I don't know if that was a tendered contract or an untendered contract. We should probably check more into that. But the fact of the matter is, all of these names, numbers, financial information, account information were disclosed; thousands of people involved. Not just a few, not a handful, but thousands of people had their personal information disclosed, and to her credit, Ms Cavoukian, in her capacity as Information and Privacy Commissioner, tried desperately to get to the bottom of that.

She never did get to the bottom of that, not through a lack of trying and not because of a lack of commitment of herself and her staff. No, they didn't get all the information because they continued to be blocked by officials at the Ministry of Finance with respect to how that information got released and who authorized the release of the information and how it got into the hands of the consultant who was doing the said mailing, etc.

I remember at the press conference that was held when she released information about that particular contract how frustrated she was that her office, despite having a number of tools at its disposal, despite being in the position to try and get to the bottom of this, couldn't. So that is one very clear recollection that I have of Ms Cavoukian doing the job that she was assigned to do on behalf of all members of this assembly, as an officer of the assembly, and doing it very well. As I said earlier, I used a number of the recommendations she made when she came before the Bill 8 committee as amendments to the clause-by-clause process. I should say that only one of my amendments was ever accepted by the committee—more fluke than anything else—but I think it's fair to say that the government, to its credit, actually brought forward government amendments that incorporated some of the changes she had pointed out.

I say this again: It's not about her. It's not about the force of her personality. It's not about her commitment to public service or the many years she has spent in the public service. It's not about her ability to take on the government of the day, as she tried to do with POSO, and expose when something is wrong—in this case, the release of private information. It has nothing to do with her. I appreciate that some of the Liberals want to make this about her as an individual in order to be critical of us, but at the end of the day the issue here is, what kind of a process are we going to have? What kind of transparent, open, competitive process are we going to have for what are very important positions, not just for us as members of the assembly but, frankly, for the public as well?

Having now sat as a member of the public accounts committee for many years, more than I care to remember, I can tell you that the public and the media had enormous respect, for example, for Erik Peters, his professionalism and the reports that he put out. They had that because of the force of his personality, because of his integrity, because of his professionalism. As a consequence, he had the respect not just of all of us, even though when we were in government I disagreed with some of his recommendations from time to time. The fact of the matter is, we had respect for Erik Peters when he was here, and so did the media.

I think the same can be said for the work that Clare Lewis has done. I have attended probably the last three of the annual report releases that Clare Lewis has undertaken in June of every year, because that's when he normally releases his public review of a number of issues that people have come to him with. Again, I watch him as he deals with the media. I have watched him as he dealt with his staff. He is most professional; there is no question about that. He has the respect of all members, and he has the respect of the media and the civil service who work with him as well.

With respect to his position, as Mr Marchese can tell you, there was an open, transparent process. Due process was given. Many people came forward at the time that Clare Lewis was appointed to his position. Many qualified, good, well-meaning, articulate people came forward

and put their names in because they wanted to do this job and they thought they had something to offer. At the end of the day, after reviewing all those resumés and going through the interviews, the committee that was established to deal with that appointment unanimously agreed to the appointment, and then so did the House.

That's the kind of process we should be emulating. That's the kind of process we should be putting in place now as we look at the appointment of the Information and Privacy Commissioner. I say to the government, have the process, because you're the government that talks about transparency and democratic renewal and open processes—

**Mr Marchese:** Blah, blah, blah.

**Ms Martel:** —and blah, blah, blah, as my colleague says. You're the government that even had a portion of your election platform targeted to democratic renewal.

Well, here's where the rubber hits the road, folks. How serious are you about democratic renewal? Miss Cavoukian should come forward and apply; no one is saying she shouldn't. The government should have a process. She should put her name forward and the tripartite committee that is set up can look at her resumé and the resumés of others, and they can interview her and other people. If she's the best candidate at the end of the day, then she will get another five years. That's what we should be doing.

When she was appointed, she was not given a commitment that she would have another five-year term. If someone in government did make that commitment to her, they were wrong to do that, because this is not an automatic extension to take you to a 10-year term.

Candidates, when they come forward, and I'm sure this was made clear by those who interviewed Clare Lewis and others—it should be made clear to them at the time when they come to the interview that there's nothing automatic.

1950

**Mr Marchese:** But they know that.

**Ms Martel:** I think they know that when they do. The government should have a process. She can come forward, other people who are interested can come forward, other people who think they have a contribution to make can come forward, other people with good qualifications should come forward, and the process will unfold as it should. If she is the best candidate, then she'll get the job for another five years. Frankly, it's as simple as that.

So I say to the government, look, you had so much to say before and during the election about democratic renewal, and now you want to bring forward a process where, I gather, we are going to have an open and transparent process with respect to the appointment of the Provincial Auditor.

*Interjection.*

**Ms Martel:** Now, maybe that's changed. The last thing we heard from the government House leader was that there was going to be an open competition, an open process to replace Erik Peters.

We have a position, another position, another officer of the assembly, and the government wants to do something different with that. Why is that? We should be using the same process for everybody. What's so different about this position that we're going to have one process for Ms Cavoukian and we're going to have an entirely different, open, transparent process—assuming that it's going to involve all the three parties in the same way that we appointed Clare Lewis—to appoint a replacement for Erik Peters. Why the discrepancy? I haven't heard the Liberals talk about that discrepancy and why we're going to have two different processes for a position, an officer of the assembly, that is essentially the same: beholden to all of us, hopefully appointed and agreed to unanimously by all of us.

Let me wrap up and say the following: This is not new in terms of our position with respect to this position. We told the former government that we were not going to agree to automatically reappoint Ms Cavoukian. We told the former government that we wanted an open process to appoint a new privacy commissioner in same way that we had appointed Clare Lewis. We did that months ago—before the last election, in fact. Our position since then, when we have been lobbied by various Liberal cabinet ministers, has been the same: an open process. That's what we should be doing. The government should have a representative, one from each of the parties. That group should come together; they should invite applications; they should review those applications. They should then sit and have people come to be interviewed, and they should make their decision at the end of the day as to who is in the best position to represent all of us. That's what I think we're going to do with another position that is open in this assembly, and I don't understand why the government doesn't want to use that same process for this particular position of Information and Privacy Commissioner.

I say to the government, if you mean what you say about democratic renewal, do not go down the road that you want to go down tonight. Do not essentially appoint someone by the government when that person should be appointed by all members of the assembly.

**Mr Howard Hampton (Kenora-Rainy River):** I'm pleased to be able to take part in this debate because I think this is one of the most important decisions the members of this Legislature will make.

I just want to review the history a bit. It wasn't that long ago when positions such as the Ombudsman position, the Provincial Auditor, the Integrity Commissioner, the privacy commissioner—those positions did not exist. There was what you might call a form of democracy where everything rested on what happened in this Legislature, that there were limited checks and balances outside this Legislature. There were limited checks and balances on the authority, the power, of a large majority government.

But over the years, largely as a result of requests by the citizens, the residents, the people of the province, not just here but elsewhere, a number of these parliamentary

or legislative offices have been created. I think anyone who reflects upon, for example, the wonderful work of Auditor General Sheila Fraser would certainly admit that the position of Auditor General or Provincial Auditor as an officer of the House of Commons or an officer of the Legislature here is absolutely indispensable now. It's one of the most important positions.

Similarly, if you examine some of the decisions of privacy commissioners, not only here but elsewhere, there is a recognition that the privacy commissioner is a very important position, and the freedom of information commissioner—because in some jurisdictions they are not one and the same, they are different positions.

But if you look at some of the decisions that have been made, some of those have been appealed to courts and have been the subject of decisions by higher courts and the Supreme Court of Canada. I think there would be almost unanimous recognition that these are very, very important positions. They're very important for democracy. They're very important in terms of being checks and balances against large majority governments. They are important for protecting the financial integrity of government. They're important for protecting the privacy of citizens. They're important for ensuring that citizens get access to have freedom of information or access to information that ought to be in the public realm.

No one, I think, could deny the importance of the Environment Commissioner. No one, I believe, could ignore the importance of the Ombudsman now in Ontario. So I would think there would be universal recognition in this Legislature that in terms of the broader democracy these are very important positions indeed. But I think there would also be a recognition that since these positions are ones where someone is appointed for five years and they go on about their business for five years, and it is very difficult to remove someone who has been appointed, that there needs to be some checks and balances on these positions as well. They should not become lifetime appointments or extended appointments, because once again, the issue is we're trying to create a better democracy here.

I just want to refer back to the comments of my colleague the member for Nickel Belt, who pointed out that you actually campaigned on this. The Liberals went across the province saying that you wanted to broaden and deepen democracy, that you wanted to ensure that democracy was enhanced. But it seems to me that if you're true to your word—and there's some debate about that around here these days. But if you really meant what you were saying, this would be a pretty fundamental debate for Liberals. You wouldn't be sitting on your hands and pretending that it's not an important issue. So there's a bit of a contradiction happening here tonight.

From my perspective, these positions are so important that not only should there be debate in this place, but whenever someone is appointed or reappointed, the process of appointment and reappointment must be democratic, open and transparent from beginning to end. And it is your unwillingness to consider that openness,

that transparency, that leads me to question where this is going.

I want to, just for a minute, refer to some recent Canadian history which illustrates, I think, quite profoundly, why someone should not just be rubber-stamped into the position or extended by rubber stamp. I want to bring up the name of George Radwanski who was, until not too long ago, the federal privacy commissioner.

## 2000

I don't want to embarrass Liberals here, but all Liberals will know that Mr Radwanski had long, long Liberal credentials, that Mr Radwanski moved among the highest Liberal circles in the province and in the land. Whenever Liberal governments wanted a report written, and they wanted to be sure that it was going to be written in a certain way, Mr Radwanski would often be called upon to write the report. Lo and behold, when the federal Liberals, more than a few years ago, suggested that Mr Radwanski would make an excellent privacy commissioner at the federal level, there was almost unanimous agreement among Liberals that he would be excellent for the position, that he would be outstanding for the position, that there could be none better for the position.

So that campaign was even carried into the press, into the media: How could anyone question, how could anyone insist, that this particular person, Mr Radwanski, should be subjected to any sort of process, any sort of examination, cross-examination? That was the position of the Liberal Party. That was the position of the Liberal establishment.

So Mr Radwanski was appointed and he proceeded into a position where he literally became an authority unto himself. What is the history of what happened there? The history of what happened is, we now learn after the fact, that Mr Radwanski misappropriated public funds, that he forged expense accounts and documents, that he literally threatened and intimidated staff who worked under him and told them that if they disclosed any of this, if they made any of this information available, he would ensure that they were severely punished.

I think anyone looking at that scenario would say, "My God, what a travesty of justice. What an offence against democracy. What an offence against the average person's sense of decency, sense of fair play and sense of how things ought to go." That's what happens when you simply close ranks behind someone and say, "Oh, this is the anointed one. This is the one who should not be subjected to an open, transparent process." That is clearly what happens.

I can tell you, I don't want to see that happen here. I don't want to be in any way associated with something which could turn out that way in this Legislature. As New Democrats have said over and over again, "I don't even know Ann Cavoukian. I don't think I've ever even been introduced to Ann Cavoukian." That's not the issue. The issue is that this is an incredibly important position, an incredibly important job for democracy. You said you believed in a broader, more full, more open, deeper democracy. Yet, by putting forward what is essentially a

closed process, I think you're engaging in a complete contradiction here—a complete contradiction—and you leave yourself open to the very things which transpired with the federal privacy commissioner, or the former federal privacy commissioner, one George Radwanski.

I just want to make some comments on what I'm being told by some of the Liberals. Some of the Liberals have stood here today and have said that if the reappointment of Ms Cavoukian is not automatic, she'll leave; she'll quit. I'm saying to myself—

**Mr Mike Colle (Eglinton-Lawrence):** Name names.

**Mr Hampton:** They just said it. Go read it in Hansard.

**Mr Colle:** Name names.

**Mr Hampton:** Go read the Hansard, you know so much. I say that if that is the attitude, if that is the innuendo that is being put out by Liberal members, that in itself should set off warning bells for everyone in this Legislature, because what it suggests to me, if it's true—and I have no way of knowing if it's true or not, but I've heard some members allege that that is the situation here tonight. If that is the case, it suggests to me a very serious problem. It suggests to me, if someone has that attitude, that it shows not only disrespect for the position, but it shows disrespect for this Legislature and it shows disrespect for the democratic process that we should all be involved in here. If anything, if there's even an ounce of truth to that allegation or that nuance which I've heard expressed here tonight, then that would, for me, absolutely confirm the need for a completely open and transparent process. I say to Liberal members that I heard the nuances earlier here this evening, and that should be setting off warning bells for all of you. That should be setting off warning bells for each and every one of you.

The final point I want to make is that we've got another problem in that the Liberals seem to want to use one kind of process for the appointment of this officer of the Legislative Assembly but another kind of process for the appointment of another officer of the Legislative Assembly. I'm trying to find out what the principle is upon which the government would make a distinction. What is the argument in reason upon which the government would make a distinction? I haven't heard one tonight and I haven't heard one in the discussions that happen in the hallway leading up to tonight.

It seems to me—once again, these are very important positions—that one of the things we would all want to ensure happens is that there is consistency with all of the appointments, that if we insist on an open and transparent process for the appointment of one officer of the Legislature, then we insist upon an open and transparent process for all officers of the Legislature.

There's another point that bothers me here. I guess it's because I've been around this building now for going on 17 years.

**Mr Tony Ruprecht (Davenport):** Wow.

**Mr Hampton:** Mr Ruprecht will recognize this too. I have seen in the past situations where at 9 o'clock at night the government House leader comes over and says,

"You know what? If you'll just agree to this process, we'll do it this way and we can all go home." People are tired and people want to be reasonable, so they say, "OK, we'll give in." Then four months later the government House Leader says, "Well, you created a precedent three months ago, so now that's how we're going to make all of these decisions; that's how we're going to do these kinds of things in the future."

I don't want to create any precedents which are not transparent, which are not open and which are not democratic. I don't want someone to come around six months from now and say, "This is what you did in the case of the privacy commissioner, so I guess it's OK in terms of a new Environmental Commissioner" or "I guess it's OK in terms of the appointment of a new Ombudsman" or "I guess it's OK" in terms of the appointment of this official or that official. I don't want to be part of something which creates a precedent that I frankly think is anti-democratic.

## 2010

I just want to say something to Liberal members. I remember saying this to Conservative members a few years ago. I remember when the Conservatives arrived here and they thought they had all the answers. Boy, they thought they were God's gift to the Ontario Legislature. They had all the answers; they knew everything. I can remember when they brought forward certain processes, saying, "You know what? If you were in opposition, you wouldn't favour this process. If you were in opposition, you wouldn't like it." Then I would say to them, "You know what? One day you'll be in opposition again." Remember those speeches, Speaker? I remember them. Sure enough, now the Conservatives are in opposition, and I heard some of the Conservative members today standing up and saying they don't like the fact that you're now using some of the processes that they put in place.

I say this to the Liberals: You will be in opposition again. You will be. As certain as we have democracy in this province, you will be in opposition again, and it might not be that long. If the economy does a couple more dips and dives, you very quickly could be in opposition again. Don't create precedents where you will, three, four years from now, four and a half years from now, say, "That wasn't a very good idea; that wasn't a very good precedent; that was really not a very smart thing to do."

This, to say it again, is one of the most important tasks that we will put ourselves to in this Legislature. When we appoint someone in these positions we give them a great deal of power, we give them a great deal of authority, and for all intents and purposes that authority is unchecked for virtually five years. So when we do that, in my humble opinion, we ought to do it with great care and we ought to do it taking great care with the essentials of democracy.

I would think that anyone who wants to apply for this position would want to ensure that it was a completely open and transparent exercise. They would want to know that we've gone through the checks, the balances, the

examinations, the cross-examinations. I would think that all of us who are concerned about the integrity of democracy, who are concerned with the erosion of democracy that we've seen happen or are concerned with some of the cynicism of democracy that is unfortunately too widespread now would want to see that kind of full, transparent, open, independent process because it is so essential to democracy.

So I say to the Liberal members, you were the ones who went across the province and sounded the trumpet over and over again that you were going to usher into Ontario a reawakening of democracy, a broader, deeper, more fulsome democracy for Ontario. Well, folks, this is where the rubber meets the road. If this simply becomes an appointment by way of government majority, then democracy is denied. It must be an open, broad, full, transparent exercise in democracy.

**The Acting Speaker:** Further debate?

**Mr Marchese:** I have just a couple of things because it's really so important to get on the record, and how often do we get these opportunities to speak anyway?

**Mr Kormos:** Where are the Liberals? They said they were going to debate this.

**Mr Marchese:** The Liberals love to debate when it's on their terms. The Liberals love to have a discussion out there and consult with the public when they say or believe or think it's on their terms. They criticize and castigate the opposition New Democrats on a regular basis and say, "I guess they are against consultation." Yet today they don't want to have that consultation. They don't want to have the debate. They don't want to have an open process of reappointment where three political parties get together and decide who it is that should be there in that position. Today they don't like it.

So when Liberals want to defend an open, consultative process, they say, "We like it. Why do you disagree?" When they don't like it they say, "That's the way it is. Why is it New Democrats are fighting it?" It's just the typical Liberal position to take. When it suits them, they say, "Yeah, we think it's good," when it doesn't, they say, "No, we think it's bad." That's the way Liberal politics, philosophy and opportunism play out each and every day in this House and at the federal level. Wherever you have Liberals, that's just the way it goes.

I've been trying to understand what are the politics behind the Liberals wanting to reappoint and not taking this reappointment through a process where all three political parties get together to decide the reappointment. I've been trying to understand the *problemo*, and I just can't figure it out. I wonder, is it political in nature? Would this candidate be a Liberal reappointment and that's why Liberals feel so strongly about why they need to reappoint her? I don't think it has anything to do with politics. I actually don't. I wonder, is it psychological? Some members have raised the issue that Miss Cavoukian is so good, but she says—perhaps as hearsay—that if she has to run for this position again, she simply may not put forth her reappointment because she just doesn't like it or, my goodness, having to go through

a re-interview process, "I don't think that's nice." Is it psychological? I don't know. I don't think so. Is it perhaps metaphysical, ie, is it a divine right of the Liberal government or Miss Cavoukian to be reappointed, because it simply is that way? I don't think so.

You take away all the possible explanations of why it might be this reason political, this other reason psychological, this other reason perhaps metaphysical, and you say, "No, it's none of those." If you can't attach any explanation to it, you say, "What's the issue? What's the *problemo* here?" I say, "I don't understand it. And if I don't understand it," I say to myself, "the Liberals are completely confounded, discombobulated, by this whole thing." They don't know quite what to do except to re-appoint her. I don't know, but it's dumb politics. It is utterly dumb for the government to simply say, "We will reappoint her," ex cathedra, as lawyers might say when they make their case.

*Interjection.*

**Mr Marchese:** Lawyers don't use that term "ex cathedra?" Really? What term would they use?

**Mr Kormos:** Ah, let's flip a coin.

**Mr Marchese:** Peter Kormos says, "Let's flip a coin." That's what lawyers would say. I don't know, but those who are into Latin might say "ex cathedra." Others would say "by fiat" because—why?—"We have a majority," and because, as Peter Kormos would say, because they can—because you Liberals have the numbers. I don't know. I'm trying to advise you, Liberals, that you're making a serious mistake.

What New Democrats want—each and every one of us—is to have a due process of reappointment that goes through a committee kind of hearing, where we hear not only that person wanting to be reappointed but any other individual thinking and/or wishing to be in that position. That's what New Democrats want: a process whereby we all have a say in the appointment of that individual. That contract was for five years—no more; not a day more, not a day less. There was no divine contract that said, "You will be reappointed." There was no understanding, implicit or explicit, that the person would be reappointed. That was not the case.

So it's clear to me and obvious to me that if Miss Cavoukian believes that she is fit, able, competent and the only person who could do the job, she would be willingly there in that process saying, "I'm in. Count me in," and anybody else who's interested can.

**2020**

I have to tell you this: I was the member who sat in to hire the Ombudsman, and I want to say that the Tories had someone in mind, the Liberals had someone in mind and, I have to admit, there was somebody who, when I heard that individual speak and answer the questions as ably as he did, I said, "I have someone in mind as well." But the Conservatives had the fix in for their candidate, and so strongly did the Liberals and New Democrats and the Speaker of the then Legislative Assembly feel that if the Tories were to appoint their person on the basis of political affiliation, the Speaker was going to raise hell

and New Democrats were going to raise hell, and, oh boy, yes, even the Liberals were going to do the same.

So in the end, in terms of due process, we all agreed, all three political parties agreed, that Clare Lewis was the best man for the job. We all agreed, and when the three political parties agree on the appointment of the individual, you don't have a problem any more. You have no confusion. You have no accusation of political partisanship. You have no accusation of "the fix is in." You have no one out there, inside or out, saying, "We knew all along who the Tories were going to appoint," because all three political parties were in agreement with Clare Lewis. In the end, we all felt good, all felt happy, not only with the process but with the result of the person we appointed. Don't you Liberals want that process? Don't you Liberals want that now?

Why would you leave yourselves open to attacks from not just New Democrats but others that what you are doing is politically not smart—I wouldn't say "politically stupid," but it leaves you vulnerable, open to accusations of many different kinds. So many of the previous speakers have told you that when you campaign on a promise of openness and transparency, as you have—and yes, you're going to be more democratic than who knows what came before you. It looks awfully silly on your part to simply now say, "We're just going to reappoint this person because—why? We just don't know." Gilles, we just don't know. Because, I guess, they want to. Is that it?

**Mr Bisson:** That's just because they want to.

**Mr Marchese:** That's just not right. To be accused, New Democrats—to simply say, "They must have something against this individual. Why else would they be fighting it?"—if such an accusation has been levied against us, I would say that that's not only unfair, but you're really digging at the bottom of some ugly, smelly barrel to get to an accusation that simply doesn't make any sense. We have nothing against anyone in any position except that we want due process. If that individual feels strongly about wanting to be reappointed, I think she's able and qualified and would want to say, "Count me in, in this open, democratic process, because I don't want anyone accusing me of getting this position for"—what? Political reasons?

**Mr Dave Levac (Brant):** She's good.

**Mr Marchese:** "Because I'm good and it should simply be understood"?

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** Polkaroo.

**Mr Marchese:** Now don't be playing with Polkaroo, Minister of Citizenship, because the Minister of Training already did that today.

**Mr Colle:** Get back on topic, will you?

**Mr Marchese:** I hear little echoes of "Polkaroo." Speaker, did you hear that? You heard it, didn't you? They don't like it. You know why they don't like it, right? Because I simply said today, on the issue of McGuinty in 1999—

**Mr Colle:** On a point of order, Mr Speaker—

**Mr Marchese:** Hold on, Mike. They've been whispering—hold on, Mike.

**The Acting Speaker:** The Chair recognizes the member from Eglinton-Lawrence.

**Mr Marchese:** Hold on, Mike. They've been whispering—hold on, Mike.

**Mr Colle:** On a point of order, Mr Speaker: My colleague from Trinity-Spadina was doing so well, speaking to the bill, and he's now completely off topic, talking about Polkaroo. Let's get back to talking about the privacy commissioner.

**Mr Marchese:** Speaker, you understand, unless provoked, that I wouldn't be saying anything to do with Polkaroo. You know that. They provoke me. The Minister of Citizenship and Immigration was whispering, "Polkaroo, Polkaroo." I said to the Minister of Training today, "Now don't you be playing peekaboo with Polkaroo." I told you that today.

In 1999 the Premier said, "Look, the debate around TVO is over." I thought it was over in 1999. Minister Bountrogianni, you were there, for God's sake. Couldn't you have told the Premier that the debate was over?

**Hon Mrs Bountrogianni:** Polkaroo.

**Mr Marchese:** You see how Mrs Bountrogianni is so playful? I like that; don't get me wrong. I love that kind of engagement. Don't you stop her, Speaker. Don't you stop.

**Mr Levac:** It's late.

**Mr Marchese:** It's never late for a good debate, never late. I want to welcome the citizens of Ontario to this live program. It's 8:25. Do we have more time, Gilles? Gilles thinks we're running out of time.

All I want to say is this, and remind the citizens watching this program: New Democrats—

**Hon Mrs Bountrogianni:** Yeah, all three of them.

**Mr Marchese:** Minister Bountrogianni, come on, there are a lot of people watching this program. Don't you go knocking on those folks. A lot of people come from Hamilton and a lot of them watch this program. I met a couple of them just canvassing the other day. They're watching you, and they're watching all of you very closely, as they're watching the federal Liberals with their scandals there. Don't you be knocking on them. They're watching. She thinks it's only a couple of Pookaroo types. No, they're more than that, I'm telling you, Minister.

**Ms Kathleen O. Wynne (Don Valley West):** It's Polkaroo, not Pookaroo.

**Mr Marchese:** Oh, somebody else is listening here. Somebody from Don Valley West is here paying close attention. She says it's "Polkaroo," not "Pookaroo." I agree with her too.

I'll bet if she'd been here when Dalton McGuinty was here, when he said the debate was over on TVO, she would have been on her feet saying, "But, Premier, you promised. You said the debate was over." If she'd been there then, like Minister Bountrogianni, she would be saying that, wouldn't she?

**Mr Bisson:** She would.

**Mr Prue:** She would.

**Mr Marchese:** But I don't hear Minister Bountro-gianni saying that. Oh, no, she's her playful self, saying, "No, Dalton probably didn't say that. I may or may not have been here, but I don't think he said that." Playful she is, and I like that. I do.

On that note, New Democrats say we want an open, democratic process. If Madame Cavoukian wants to reapply, she should. She's able, she's competent, and I think she's fully qualified to reapply for that job. But bring it to that process; don't you by fiat say, "We're going to reappoint her. It doesn't matter what New Democrats say, because we have a majority." Don't you go saying that. Leave yourself honourable, Mike Colle. I'm telling you, you're hurting yourself.

**Mr Colle:** Appoint her as the head of TVO.

**Mr Marchese:** I think we made it clear tonight where New Democrats stand. We don't know where the Tories stand and we heard from one or two Liberals tonight. Not many spoke. I wish they had so I could hear more clearly and openly their views. But I think people know where we stand.

**The Acting Speaker:** Further debate? Seeing none; Ms Di Cocco has moved government notice of motion 55. Is it the pleasure of the House that the motion carry? I heard some noes.

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

*Interjection.*

**The Acting Speaker:** I have received a request from the chief government whip that the vote on this motion be deferred until tomorrow. The vote is accordingly deferred.

The Chair recognizes the minister.

**Hon Mr Peters:** Speaker, I move adjournment of the House.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until 1:30 pm tomorrow.

*The House adjourned at 2030.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman  
 Speaker / Président: Hon / L'hon Alvin Curling  
 Clerk / Greffier: Claude L. DesRosiers  
 Deputy Clerk / Sous-greffière: Deborah Deller  
 Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman  
 Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton Mountain	<b>Bountrogianni, Hon / L'hon Marie</b> (L) Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiques et de l'Immigration
Ancaster-Dundas-Flamborough-Aldershot	McMeekin, Ted (L)		Marsales, Judy (L)
Barrie-Simcoe-Brampton			
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Brampton West-Mississauga / Brampton-Ouest-Mississauga	Jeffrey, Linda (L)	Kenora-Rainy River	<b>Gerretsen, Hon / L'hon John</b> (L) Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
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Bruce-Grey-Owen Sound	Levac, Dave (L)		
Burlington	Murdoch, Bill (PC)	Kitchener Centre / Kitchener-Centre	Witmer, Elizabeth (PC)
Cambridge	Jackson, Cameron (PC)	Kitchener-Waterloo	Van Bommel, Maria (L)
Chatham-Kent Essex	Martiniuk, Gerry (PC)	Lambton-Kent-Middlesex	Sterling, Norman W. (PC)
Davenport	Hoy, Pat (L)	Lanark-Carleton	Runciman, Robert W. (PC)
Don Valley East / Don Valley-Est	Ruprecht, Tony (L)	Leeds-Grenville	Matthews, Deborah (L)
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	Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	London West / London-Ouest	<b>Bentley, Hon / L'hon Christopher</b> (L) Minister of Labour / ministre du Travail
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Etobicoke-Lakeshore	Broten, Laurel C. (L)	Northumberland	Rinaldi, Lou (L)
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Oak Ridges	Klees, Frank (PC)
Guelph-Wellington	Sandals, Liz (L)	Oakville	Flynn, Kevin Daniel (L)
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Oshawa	Ouellette, Jerry J. (PC)
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Halton	Chudleigh, Ted (PC)		
Hamilton East / Hamilton-Est	Vacant		

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Ottawa-Orléans Ottawa-Vanier	McNeely, Phil (L) <b>Meilleur, Hon / L'hon Madeleine (L)</b> Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre délégué aux Affaires francophones	Timiskaming-Cochrane	Racco, Mario G. (L) Mauro, Bill (L) Gravelle, Michael (L)
Oxford Parkdale-High Park	Hardeman, Ernie (PC) <b>Kennedy, Hon / L'hon Gerard (L)</b> Minister of Education / ministre de l'Éducation	Timmins-James Bay / Timmins-Baie James Toronto Centre-Rosedale / Toronto-Centre-Rosedale	<b>Ramsay, Hon / L'hon David (L)</b> Minister of Natural Resources / ministre des Richesses naturelles Bisson, Gilles (ND)
Parry Sound-Muskoka Perth-Middlesex Peterborough Pickering-Ajax-Uxbridge Prince Edward-Hastings Renfrew-Nipissing-Pembroke Sarnia-Lambton Sault Ste Marie Scarborough Centre / Scarborough-Centre Scarborough East / Scarborough-Est	Miller, Norm (PC) Wilkinson, John (L) Leal, Jeff (L) Arthurs, Wayne (L) Parsons, Ernie (L) Yakabuski, John (PC) Di Cocco, Caroline (L) Orazietti, David (L) Duguid, Brad (L)	Toronto-Danforth Trinity-Spadina Vaughan-King-Aurora Waterloo-Wellington	<b>Smitherman, Hon / L'hon George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée Churley, Marilyn (ND) Marchese, Rosario (ND)
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	<b>Bryant, Hon / L'hon Michael (L)</b> Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique	York West / York-Ouest	Munro, Julia (PC) <b>Cordiano, Hon / L'hon Joseph (L)</b> Minister of Economic Development and Trade / ministre du Développement économique et du Commerce Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Maria Van Bommel, Tony C.Wong  
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No. 42

Nº 42

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 4 May 2004

Mardi 4 mai 2004



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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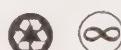
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 4 May 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 4 mai 2004

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### EVENTS IN PARRY SOUND

**Mr Norm Miller (Parry Sound-Muskoka):** I rise today to bring your attention to some of the great events taking place this summer in the beautiful town of Parry Sound. Parry Sound, located in Georgian Bay Country, is one of Ontario's prime tourist destinations, and for anyone in the area this summer there will be no lack of great things to do.

From July 16 to August 8, Parry Sound will be celebrating its 25th year as host of the Festival of the Sound. A world-class music festival, the Festival of the Sound celebrates the connection between the beauty of the music of some of the world's greatest composers and the beauty of Georgian Bay Country, and features performances by artists from all over the world. This year's festival will feature works performed by Anton Kuerti, Pinchas Zuckerman, the Emperor String Quartet and the Elmer Iseler Singers, among many others. The performances will take place in the Charles W. Stockey Festival Performance Hall, which has only been open since last year's festival and has already garnered the praises of performers and listeners alike.

Another event taking place in Parry Sound this summer is the RBC Dragon Boat Festival. It will take place on June 18 and 19 and will bring out people of all ages and all abilities to participate and raise money for the Rotary Club of Parry Sound and the West Parry Sound Health Centre. Last year's festival was a massive success, and this year is sure to build on those past successes.

These are just some of the great events taking place in Parry Sound, in Georgian Bay Country, over the summer. I would encourage everyone to visit Georgian Bay Country to participate in these events yourself.

#### VAISAKHI

**Mr Jeff Leal (Peterborough):** On April 24, I had the opportunity to participate in the Peterborough Sikh community's Vaisakhi celebration. Vaisakhi has a special significance for Sikhs. It celebrates the day in 1699 when Guru Gobind Singh gave the authority of the Sikhs to the

Guru Granth Sahib—the Sikh scripture—and created the order of Khalsa, the brotherhood of the pure.

To begin the celebration, participants entered the room with their heads covered and shoes removed. Everyone bowed in front of the holy book of Guru Granth Sahib before sitting down on the floor. At that point, Guru Granth Sahib was placed on a higher platform facing the congregation.

The celebration consisted of a religious service, which included hymns from Guru Granth Sahib, followed by Langar, the sharing of a vegetarian meal.

The members of Peterborough's Sikh community were wonderful, welcoming hosts. I thank them for the invitation to participate in this very important religious celebration.

In my role as MPP I'm grateful to have the opportunity to participate in a wide array of cultural events within my riding. I look forward to participating in next year's Vaisakhi celebration.

Ontario is a multicultural province. I'm proud to recognize May 5—tomorrow—as South Asian Arrival Day. We are fortunate to have such a diversification of peoples, all contributing to the great fabric which is our province, Ontario.

#### THALASSEMIA

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** It is with great pleasure that I speak today to recognize International Thalassemia Day. Saturday, May 8, 2004, is the 10th anniversary of this day. Thalassemia is a form of inherited anemia and affects about 300 children and adults in Ontario.

The Thalassemia Foundation of Canada was established in 1982 to raise awareness of thalassemia and to advocate for proper care and funding. Comprehensive care for patients under 18 years of age has been provided at the Hospital for Sick Children since 1986, and the Toronto General Hospital has provided care for adults. Unfortunately, although the number of children who have survived into adulthood has increased, the program at the TGH has not expanded to meet this need. The program has been restricted to 99 adult patients since the late 1990s.

Currently, there are 35 adult patients "stuck" at the Hospital for Sick Children, and this number will increase to 60 by the end of next year. They continue to receive blood transfusions but not emergency or in-patient care. This poses serious health risks. The devastating effects of

underfunding this program must be addressed. I urge the government to do so.

### CONSUMER PROTECTION

**Mr Tony Ruprecht (Davenport):** Thousands of Canadians are adversely affected by unfair credit reporting practices which heavily favour the banking sector over consumers. Here are some examples:

First, did you know that as few as two or three applications for credit per month may lower your credit score by 10% or more? The likely consequence is that you may be penalized and unable to obtain favourable interest rates. We must make sure that applications for credit do not affect the creditworthiness of our citizens.

Second, as reported by the *Globe and Mail* in early March, there was a massive identity theft from the largest consumer reporting agency in the country, Equifax Canada. According to Equifax's own admission, the theft was committed by their own clients. This crime could be prevented by licensing consumer reporting agencies' clients. If we license hot dog vendors, we surely should license companies and persons receiving the most sensitive, private information from our citizens.

Third, consumer reporting agencies are in breach of the Consumer Reporting Act pertaining to full disclosure. Reports furnished to credit granters contain information that is not included in the reports furnished to consumers upon their requests, thereby leaving consumers in the dark by not furnishing narrative comments such as "inquiry alert," "too many inquiries" and other comments. Even though the act stipulates that a true copy of the report furnished to credit granters must be furnished to the consumer upon request, consumer reporting agencies are breaching the act by ignoring its provisions and furnishing consumers only with partial reports.

We must, as soon as possible, have a thorough look at our outdated Consumer Reporting Act in order to reduce the negative impact on our citizens.

#### *Interjections.*

**The Speaker (Hon Alvin Curling):** There is much loud discussion. Could I just ask that you be a little quieter on the floor.

### PHYSIOTHERAPY SERVICES

**Mr Peter Kormos (Niagara Centre):** Schedule 5 physiotherapy clinics are the only safety net for people who medically need physiotherapy but can't afford it or don't have private insurance. They've been doing it successfully for 40 years in Ontario. There are six million treatments delivered to Ontarians each year, covering the majority of the province, and 70% of schedule 5 physiotherapy patients are senior citizens who need physiotherapy to stay mobile, active, in the community and out of costly hospitals. Most importantly, physiotherapy keeps them happy, alive and well.

Currently, and it's been this way for a long time, the cost to the health care system is only \$12.20 per treat-

ment when delivered by a schedule 5 clinic. A similar treatment delivered in a hospital or CCAC is at least four times more expensive.

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A week ago I met with Mathews Kulanjipurakal, a health professional, a physiotherapist—in fact, the operator of a physiotherapy rehabilitation centre on Vaughan Road in Welland. He impressed upon me the important role that he and other physiotherapists in similar centres and clinics—schedule 5 physiotherapists—play in the health care of our community. He impressed on me the fact that they've been performing these procedures for \$12.20 per procedure for a number of years, without any pay increase, and that they are very concerned about the prospect of having the service being delisted by this government in the next budget. We call upon this government to ensure that these physiotherapists continue to treat our constituents.

### EDUCATION WEEK

**Mr David Orazietti (Sault Ste Marie):** This week we are celebrating Education Week, and with it an opportunity for our government to reassert its commitment to public education and thank Ontario's teachers for their ongoing commitment to educating our children.

It is also important this week that we look back on how our education system was managed so that we ensure that future decisions chart a different course with our education partners and better serve the interests of the youth of this province.

Before having the privilege of serving here, I taught in a secondary school for the Algoma District School Board and worked for the Ontario Secondary School Teachers' Federation. I witnessed first-hand the consequences of the past government's neglect for our public education system. It is no surprise that the number of children attending private schools in Ontario has increased by 40%, and that 50% of grade 9 students will either not finish high school or choose not to pursue a post-secondary education.

We promised the people of Ontario that we would do our best to reverse this downward trend, and our government is standing by that commitment. On April 22, our Premier announced that action to ensure high literacy and numeracy skills by age 12 was our first priority. To ensure that we achieve our goals, we will begin this fall by reducing class sizes in junior kindergarten to grade 3, by placing lead teachers specially trained in literacy and numeracy in every elementary school and by establishing a provincial literacy and numeracy secretariat to coordinate our efforts.

We want the improvement of our public education system to be the centrepiece of this government's mandate. I would like to begin celebrating Education Week by reassuring Ontario's teachers, education workers, parents and children that improving this province's public education system is our top priority.

## WATER QUALITY

**Mr Robert W. Runciman (Leeds-Grenville):** Both the previous Conservative government and the current government pledged to implement all the recommendations contained in Justice O'Connor's report from the Walkerton inquiry. Creation of the Safe Drinking Water Act was a direct result of this commitment—as the Ottawa Citizen put it, the sledgehammer that kills the flea. The ultimate goal of the act is to ensure that all drinking water in Ontario is guaranteed safe and that the source water is fully protected.

Environment Minister Dombrowsky has stated the obvious: There are flaws in the legislation that need to be fixed. But to date, while campgrounds are closing and churches, restaurants, children's groups and many others are under threat, the minister seems paralyzed, unable or unwilling to address this looming crisis.

Justice O'Connor's recommendations seem to be based on the premise that all drinking water in the province is either unsafe or will be unsafe in the near future. The requirements contained in the new regulations follow from this premise. There is no doubt that a system of conscientious testing needed to be implemented. However, is it necessary that expensive water treatment systems be required when testing indicates water supplies meet every provincial standard? Shouldn't the requirement for treatment systems occur when tests indicate a deterioration of water quality? Fixing problems that don't exist does not earn public credibility, nor does forcing community facilities to close make sense when water quality problems do not exist.

Minister Dombrowsky, you've had almost seven months. Stop the blame game; get on with the job.

## SCHIZOPHRENIA

**Mr Shafiq Qadri (Etobicoke North):** This week is Mental Health Awareness Week. Present in the gallery are representatives from the Schizophrenia Society of Ontario. The society provides support, education and advocacy on behalf of families and people affected by schizophrenia. Two weeks ago, His Honour the Lieutenant Governor hosted an event here at Queen's Park to celebrate the 25th anniversary of the society and to kick off a series of events.

Schizophrenia is a serious treatable brain disease affecting one in 100 people over their lifetime. It generally strikes young people in their late teens or early 20s. It is in fact referred to as youth's greatest disabler. Over the past few years, new hope has emerged, however, for these young individuals. With access to newer medications, which represent the cornerstone of treatment, and earlier intervention, people with schizophrenia do in fact recover.

A schizophrenia society scholarship is now available, providing financial assistance to people returning to school. In the gallery we have an individual, for example, who is pursuing a degree at the Ontario College of Art

and Design, all the while dealing with the diagnosis of schizophrenia. We've received 30 applications this year, a testimony to how well people can recover.

A number of dedicated volunteers and board members are here. I know, Speaker, that you, along with all members of this House, will salute the individuals who suffer with this disease and the noble individuals who help them cope.

## BRECHIN PUBLIC SCHOOL

**Mr Garfield Dunlop (Simcoe North):** I know this is the beginning of Education Week, and I'm very honoured today and very pleased that the grade 5 class of Ms McNeil and some parents are here. They're from Brechin Public School out in the eastern part of my riding. I really want to welcome them here, and I want the House to give them a warm round of applause.

Quite frankly, I wasn't to do this statement today, Mr Speaker; it was to be Mr Baird's. He missed coming in, so I wanted to take a moment and say that we asked a question yesterday to the Minister of Education on a very important issue that involves the lives of a lot of the young people here from Brechin Public School: the fact that there's a dispute between two school boards, the Trillium Lakelands District School Board and the Simcoe County District School Board, over where these young people may in fact attend school in the future. For many generations, the people from Carden and Dalton townships—Ms Laurie Scott is the member for that particular area, Victoria-Haliburton-Brock. For many generations, the parents and grandparents of these young people have actually attended Simcoe county schools, and now there's a dispute about moving them to Trillium Lakelands in the future.

Quite frankly, I was pleased that the minister responded yesterday. We're working very hard—the parents' groups, myself, Ms Scott and now the Minister of Education—to try to resolve this issue. I hope that for the sake of putting students first in the province of Ontario, we can find a resolution so that these young people can attend the school of their choice in the future.

## INTRODUCTION OF BILLS

### HIGHWAY TRAFFIC STATUTE LAW AMENDMENT ACT (CHILD AND YOUTH SAFETY), 2004

### LOI DE 2004 MODIFIANT DES LOIS EN CE QUI CONCERNE LE CODE DE LA ROUTE (SÉCURITÉ DES ENFANTS ET DES JEUNES)

Mr Takhar moved first reading of the following bill:  
Bill 73, An Act to enhance the safety of children and youth on Ontario's roads / Projet de loi 73, Loi visant à

accroître la sécurité des enfants et des jeunes sur les routes de l'Ontario.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Mr Takhar?

**Hon Harinder S. Takhar (Minister of Transportation):** I will defer my statement until ministerial statements.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### ROAD SAFETY

**Hon Harinder S. Takhar (Minister of Transportation):** I consider it a great honour and a privilege to rise in the House today to introduce legislation and to give details of a number of proposed regulatory initiatives to protect our children and youth on Ontario's roads.

This package of safety measures, if passed, will save lives. It is another example of our government's commitment to build safe and strong communities.

The McGuinty government is committed to improving Ontario's road safety record and to remaining one of the three safest jurisdictions in North America. We are especially committed to the safety of our children and youth on our roads. Auto crashes are the leading cause of death and injury for children and youth. Nearly one in five deaths on our roads is a young person 19 or under. Our government wants to change that.

1350

This legislation I am introducing today provides a three-pronged approach to deal with the critical safety issues that affect our children and youth. If passed, these measures would deliver improved use of child car seats, greater school bus safety and a stronger graduated licensing system. I am very grateful to Pat Hoy, MPP for Chatham-Kent-Essex, who has campaigned tirelessly to improve school bus safety. This bill is a credit to his determination.

We have two families that lost a child in school bus collisions here with us today. I would like to thank them for taking time from work and travelling to be with us today. The legislation I am introducing today, if passed, would help prevent this tragedy from happening to more Ontario families.

Today our government intends to build on existing school bus safety. A recent transportation survey found that one third of the school bus drivers sampled observed at least one incident of illegal passing each day. We want to build on existing school bus safety by introducing legislation that would allow charges to be laid against the owner of a vehicle that is reported to have illegally passed a school bus. In addition, we would develop regulations to ensure that drivers are constantly reminded of the seriousness of the offence. Our plan is to place warning signs on the back of every school bus in the province.

We are also proposing to adopt improved standards for new school buses. In practice, this would include safety crossing arms to prevent children from walking into the bus driver's blind spot at the front of the bus, more emergency exit windows on the larger buses, and improved mirrors to reduce the bus driver's blind spots.

The second part of our proposal consists of measures to protect the youngest and most vulnerable people in our society: infants, toddlers and primary grade children. Let me outline the facts. Car crashes are the leading cause of death and injury for children and youth. An unrestrained child in a 50 kilometre per hour crash would suffer the same consequences as a child dropped from a third-storey window. We can help prevent this. A child car seat can reduce the likelihood of death or serious injury by as much as 75%. That is why I propose strengthening the authority in the Highway Traffic Act that governs the use of child car seats.

If this bill is passed, we intend to put regulations in place to better protect children in motor vehicles. This would include adding demerit points to the penalty facing drivers who fail to follow infant and toddler car seat requirements.

If this bill is passed, we would also extend the legal obligation for drivers to use forward-facing child car seats for toddlers. Under the current legislation, this only applies to parents and legal guardians. We would extend this obligation to other caregivers as well.

It is a sad fact that children using seat belts instead of booster seats are three and a half times more likely to suffer significant injury, and four times more likely to suffer head injury. That is why we also intend to make booster seats mandatory.

Finally, we plan to further protect our young teenaged drivers with this proposed legislation. Our graduated licensing system has been a great success in reducing death and injury among novice drivers.

But we can do more. Ontario research shows that new teenage drivers are almost three times more likely to be involved in a fatal or serious collision when they are carrying teenage passengers. In fact, research shows the more teenage passengers, the higher the risk. To date, 31 jurisdictions in Canada and the US have some form of teenage passenger restriction in effect.

Like these jurisdictions, we want to protect our young drivers. That's why we want to amend the Highway Traffic Act to improve the graduated licensing system. If passed, this measure would allow for regulations that would protect our youth by restricting the number of young passengers a driver aged 19 and under can carry during and after their first six months in the G2 level. These restrictions would not apply if the G2 driver, aged 19 and under, is with an experienced driver in the front seat. In addition, family members would be exempt from this restriction, regardless of age.

This is a measured and reasonable response that recognizes the mobility needs of all Ontarians. The proposed restriction is supported by sound research data and best practices in other jurisdictions. The measures I have proposed are about protecting our children and youth

from death and injury, and these measures are supported by health care professionals, police services, road safety groups and parents from across the province.

In conclusion, let me state that this bill, if passed, will save lives. It is one more step in this government's commitment to improve our already impressive road safety record. We owe it to our children to take this action. I want to take this opportunity to invite my legislative colleagues on both sides of the House to support these new initiatives to protect our children and youth on Ontario roads. This is the right thing to do.

**Mr Frank Klees (Oak Ridges):** I'm pleased to respond to the Minister of Transportation's remarks. I will say at the outset that no government has been more concerned and done more in Ontario for safety on our roads than the previous government. As you will know, over eight and a half years, it was our government that introduced some of the toughest regulations and legislation relating to such things as drunk driving.

We had the opportunity to implement some of the most important safety regulations relating to truck safety in the province, among a number of other issues. In fact, in 1995, Ontario ranked sixth in the world for road safety. In 2001, we had the opportunity and the great pride to be rated first in North America, as having the safest roads in North America.

1400

With that as background, I want to speak to the legislation that's being introduced today. First let me say that Pat Hoy should have been the one given the opportunity to introduce this legislation. The reason I say that is I think it's fair for us to acknowledge the work of the honourable member on the important issue of bus safety.

I also want to extend condolences to the families represented here who lost a child as the result of a bus accident.

What we want to do today is be fair with regard to the legislation that is being proposed. There are some issues we can certainly support relative to some of the initiatives taken around improving standards within buses themselves, warning signals and so on that are incorporated in the legislation. We support that.

But let me be very clear that what we have significant concern about is the fact that we're once again into a cash grab of taxing, up to \$2,000, not the individual who is responsible for the behaviour of driving irresponsibly but the owner of the car, which could be totally unrelated to the actions within the vehicle. I suggest it's simply another cash grab on the part of this government.

Let me also speak to the issue of booster seats. This government wants to have children eight years of age—

*Interjections.*

**The Speaker (Hon Alvin Curling):** When the statement was made by the Minister of Transportation, the opposition listened very well, and I would like the same respect to be given to the member who is responding.

The member from Oak Ridges.

**Mr Klees:** Thank you. It's quite rude, actually, on the part of members of the government that is proposing the legislation. I expect they would want to listen.

I'm suggesting they're making a major mistake with regard to their legislation as it relates to booster seats. You have failed to recognize the practicality of our communities. What they have done with this legislation—they're making it absolutely impossible. First of all, they're imposing a cost of \$100 a booster seat on people in this province who can probably least afford it. What's that all about? What happens to being able to pick up children in a rainstorm or a snowstorm, and when you're picking up your own child, having three or four of the neighbours' kids come into the car, or taking them to a baseball game or a hockey game?

This minister has absolutely ignored the practical way people live in this province. Safety regulations, yes, but let's put some thought into the practicality of the legislation you bring forward. This will never wash. It's as bad as your fat tax, Minister. You haven't thought about it. It's all smoke and mirrors.

What we want to do is support you. I would want to support a piece of legislation that truly affects safety issues. Minister, wake up. This will never work. What you're doing here is that you're going to sell a lot of booster seats, and that's all you're going to do. You'll be getting a lot of calls from people in your riding and across the province saying, "Get reasonable."

Let's be serious about this: children eight years of age in a booster seat? Where are you? What are you dreaming of? This is not about safety; it's about irresponsible legislation.

**Mr Peter Kormos (Niagara Centre):** New Democrats are pleased to join in any effort to create safer highways and prevent highway deaths and highway injuries. Indeed, New Democrats are proud of the graduated licensing system introduced by the New Democrats here at Queen's Park over a decade ago. It surely has been one of the single most effective highway safety initiatives undertaken in this province in decades.

Having said that, I want to comment on a number of areas of this legislation.

It's ironic that the government addresses much-needed Highway Traffic Act amendments around the safety of children in school buses today in the context of the revelation earlier today that yet 40 more schools are going to be closed in Ontario. Closing 40 schools means more children on school buses, and it means more children who literally spend more time on their bus to and from their classroom than they do in the classroom itself. In Niagara region alone, as a result of school closures over the course of the last seven and eight years, we've seen a tremendous growth of the youngest of kids being bused to and from schools and literally, as I say, spending more time on their buses than they do in their classrooms.

I'm not doubting this government's commitment to the school bus safety issue. Quite frankly, New Democrats support the concept of vicarious liability. It's not novel; it's certainly precedented in the Highway Traffic Act. But I'm saying the irony in the context of today's revelation is obvious as well.

I have some concern about the minister's expression about being committed to tough, effective legislation when I take a look at particularly his amendment to subsection 7(12), where the government is restricting the penalties that can be imposed upon the convicted person who is in default of a fine to a non-renewal of permit only for that permit on the vehicle that was actually involved in the offence. In fact, the government is making it possible for scofflaws to commit offences, not pay fines, and continue to operate vehicles and renew any number of vehicle permits as long as it isn't the permit on the vehicle that the offence was committed in. That warrants more thorough consideration.

Minister, one of the real problems around highway safety is the paucity of police officers on our highways, especially our 400 series highways. Speed rates have increased well beyond the 100-kilometres-per-hour speed limit. There are members in this Legislature who have personal experience with that. The norm for speed rates on 400 series highways has become 120 kilometres an hour or 130 kilometres an hour. Those highways are more crowded than ever, and yet there is a scarcity of police cruisers on those highways. In fact, when there are police cruisers on the highways, the difficulty and the dangerousness for a police cruiser to pull a vehicle over prevents that police officer—OPP in these instances—from actually performing their duties. If the government is really concerned and serious about highway safety, the government is going to commit itself and ensure that it puts more OPP officers on our 400 series highways and on those highways that are policed by the OPP.

As well, communities like the ones I represent, like the ones represented by every member in this Legislature, are seeing fewer and fewer police cruisers out on the road because of the incredible demands on those communities and the incredible downloading that this government persists in engaging in that has resulted in real reductions in policing efforts and policing activity in those communities.

Do you want to really be tough on people who would attempt to pass stopped school buses? A decal on the back telling them it's against the law, I suggest to you, with all due respect, although the effort is admirable, is not really the most effective way of doing it. The most effective way of doing it is ensuring there is a likelihood of apprehension, that there's a likelihood of detection, and that means giving communities those resources, giving them the funding so they can adequately staff police forces so that the police officers and cruisers can be out there on our community roadways enforcing the act. The likelihood of detection, as you know, is the greatest single deterrent to offences under the Highway Traffic Act and other roadway and vehicle legislation.

I say to you that the legislation clearly has to go to committee. I put to you that the government should be calling upon the federal government to call upon automobile manufacturers to create safer vehicles, vehicles which have more flexibility in terms of seat design and seat belt design to actually accommodate younger

passengers so that we don't become involved in this very difficult process of a gradation of booster seats for the kids four, five, six, 10, 11, 12 through to adulthood.

## VISITORS

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** On a point of order, Mr Speaker: I just wanted to alert the House that students from Port Dover Composite School are in the gallery, including my niece Sandi Milner. So you've been warned.

## DEFERRED VOTES

### APPOINTMENT OF INFORMATION AND PRIVACY COMMISSIONER

**The Speaker (Hon Alvin Curling):** We have a deferred vote on government order number 3.

Call in the members; this will be a five-minute bell.

*The division bells rang from 1409 to 1414.*

**The Speaker:** Ms Di Cocco has moved government order number 3. All those in favour, please rise one at a time and be recognized by the Clerk.

### Ayes

Arnott, Ted	Flaherty, Jim	O'Toole, John
Arthurs, Wayne	Flynn, Kevin Daniel	Orazietti, David
Baird, John R.	Fonseca, Peter	Ouellette, Jerry J.
Bartolucci, Rick	Gerritsen, John	Parsons, Ernie
Bentley, Christopher	Gravelle, Michael	Patten, Richard
Berardinetti, Lorenzo	Hardeman, Ernie	Peters, Steve
Bourtiogiani, Marie	Hoy, Pat	Phillips, Gerry
Bradley, James J.	Hudak, Tim	Pupatello, Sandra
Broten, Laurel C.	Jackson, Cameron	Qaadri, Shafiq
Brownell, Jim	Jeffrey, Linda	Racco, Mario G.
Bryant, Michael	Kennedy, Gerard	Ramal, Khalil
Cansfield, Donna H.	Klees, Frank	Ramsay, David
Caplan, David	Kular, Kuldip	Rinaldi, Lou
Chambers, Mary Anne V.	Kwinter, Monte	Runciman, Robert W.
Chudleigh, Ted	Lalonde, Jean-Marc	Ruprecht, Tony
Colle, Mike	Leal, Jeff	Sandals, Liz
Cordiano, Joseph	Levac, Dave	Smitherman, George
Craitor, Kim	Marsales, Judy	Sorbara, Greg
Crozier, Bruce	Matthews, Deborah	Takhar, Harinder S.
Delaney, Bob	McGuinty, Dalton	Van Bommel, Maria
Dhillon, Vic	McMeekin, Ted	Watson, Jim
Di Cocco, Caroline	McNeely, Phil	Wilkinson, John
Dombrowsky, Leona	Meilleur, Madeleine	Witmer, Elizabeth
Duguid, Brad	Miller, Norm	Wong, Tony C.
Duncan, Dwight	Milloy, John	Wynne, Kathleen O.
Dunlop, Garfield	Mossop, Jennifer F.	Zimmer, David
Eves, Ernie	Murdoch, Bill	

**The Speaker:** All those opposed, please rise and be recognized by the Clerk.

### Nays

Hampton, Howard	Marchese, Rosario	Prue, Michael
Kormos, Peter		

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 80; the nays are 4.

**The Speaker:** Let it therefore be resolved that an humble address be presented to the Lieutenant Governor in Council as follows:

To the Lieutenant Governor in Council:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the reappointment of Ann Cavoukian as Information and Privacy Commissioner for a term of five years, commencing on July 1, 2004, as provided in section 4 of the Freedom of Information and Protection of Privacy Act, RSO 1990, cF31.

And, that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker.

Be it resolved that the motion do now pass.

## ORAL QUESTIONS

### SCHOOL CLOSURES

**Mr Ernie Eves (Leader of the Opposition):** I have a question for the Premier. This morning your Minister of Education said that he knew that 44 schools slated to close before he announced the moratorium last December would not be saved. He went on to say that he now admitted that some boards ignored his request to hold off on school closures and as many as 100 schools could be closed between now and next June.

How is it that your government, that made a very distinct campaign promise to have a moratorium on all school closures, doesn't have the commitment to implement legislation to make sure that, as you promised, not a single school closes in the province of Ontario?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The minister would like to speak to this.

**Hon Gerard Kennedy (Minister of Education):** The Leader of the Opposition knows not of what he speaks. We have had a 97% compliance with the request.

We understand the problem they're having opposite. They have no idea how to work with school boards. They're used to throwing down lightning bolts, throwing boulders at the school boards that are out there. Under their watch, a record number of public schools were closed and a record number of private schools were opened.

1420

We asked for a moratorium on all closings going forward, and virtually all have; there are two school boards we are in discussions with. We don't mind doing business that way. We don't mind talking to school boards, showing them some respect. I can tell you that we're going to get the results where they count: Students in this province will be better off. The boards know that—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. Could I have some quiet, please.

Supplementary?

**Mr Jim Flaherty (Whitby-Ajax):** This is a new low for integrity in government. You've broken election promises, but this commitment was made after the election, after you were the government. On December 12, 2003, you, as Minister of Education, announced a commitment to a moratorium on school closings in Ontario until after June 2004. Now, we have the announcement that 44 schools are to close by the end of June and another 66 by the end of June next year. That's 110 schools to close, despite your moratorium. Why has your government even failed to keep a commitment made to the people of Ontario after you were elected?

**Hon Mr Kennedy:** I can understand why the people on the other side of the House still want to think that maybe the election didn't happen. But do you know what? It did.

There are some numbers being published out there, but most of those are by boards—

*Interjections.*

**The Speaker:** Could you allow the minister to respond, please? I hear shouting from both sides as soon as another member gets up to speak.

The Minister of Education.

**Hon Mr Kennedy:** I can understand the member opposite having contributed greatly to the shutting down of schools prematurely and unnecessarily. He is dealing, in fact, with numbers published from guidelines that predate our new government. What he is talking about, I guess, is what would have happened if they had stayed in power. But boards across this province know there are new guidelines coming and new funding rules coming. Luckily for students around this province, the future he's talking about has been headed off by the people through the last election.

**Mr Flaherty:** I was fortunate, at our party's education round table, that my new best friend Annie Kidder was there, and she provided this information about school closings. It's good to have this accurate information.

We had the moratorium from the minister in December, but now in May, he says, "I knew they weren't going to keep all these schools open." That's what he says today. He says he knew schools slated to close before he announced the moratorium last December would not be saved. So he knew when he said it that it was not accurate. Even worse than that, he says he's going to work with school boards but then says today that school boards ignored his request to hold off on school closures.

Minister, this is the worst kind of promise-breaking. You made a commitment to the people of Ontario for a moratorium that you knew was not true when you said it. Apologize to the people of Ontario.

**Hon Mr Kennedy:** Here's what I knew when we made the commitment: Education in this province had suffered for eight long years from the simplistic approach that was just exhibited by the member opposite. In fact, some schools that are being closed are getting new schools built to replace them. There are cases in which communities have agreed to have these schools built. But I will tell you, Speaker, that if the member opposite was

reading accurately from his sheet, he would be including schools that were under review under the Tories. Those schools and those children have a better future under this McGuinty government.

## GOVERNMENT'S RECORD

**Mr Ernie Eves (Leader of the Opposition):** I have a question for the Premier. On your way into caucus this morning, you refused to answer this question of the media, despite the fact that it was asked you several times: Was it a mistake for you to sign the taxpayer protection pledge? Yes or no?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** What I can convey, on behalf of the people of Ontario, is that they were sadly mistaken if they thought they could rely on the previous government when it came to the state of the government's finances—sadly mistaken in that regard. The real issue is, do we even intend to do something to address that predicament, where you can actually go into an election and hide a \$5.6-billion deficit from the people of Ontario? Yes, we intend to address that.

**The Speaker (Hon Alvin Curling):** Supplementary, the member for Nepean-Carleton.

**Mr John R. Baird (Nepean-Carleton):** Taxpayers have become so cynical about politicians and election promises that they have actually taken to getting politicians to personally sign election commitments so that there's no doubt, so that there's no manoeuvring. With great fanfare, during the last election, surrounded by your candidates seeking election, you signed the taxpayers' protection pledge. The media, cameramen, photographers were all there to record the moment.

I have a simple and straightforward question for you: Will you stand in your place and confirm, yes or no, whether you will keep your promise to the Ontario Taxpayers Federation and to working families in Ontario? Premier, would you do that?

**Hon Mr McGuinty:** Let me express my commitment to working families. Our commitment to health care and education is unequivocal and irrevocable. We will do what is necessary to improve the quality of public services in the province of Ontario. We'll start with smaller classes; we'll start with student achievement; we'll start with shorter waiting times; we'll start with more doctors and more nurses.

**Mr Baird:** Premier, what the people of Ontario want to know about your commitment is the commitment you have to your word and to the promises you made when you were trolling for votes during the last election campaign. You and your government are a breeding ground for cynicism for politicians and for politics. You say one thing to get elected, and then you change your mind after election day. We're going to see voting levels go down because of your personal promise-breaking. That's the honest-to-God truth. You have lost all credibility with taxpayers in Ontario. You've lost all

credibility with the people who are required to work with government. If you can't keep—

**The Speaker:** Premier.

**Mr Baird:** I have not finished my question.

**The Speaker:** You take a long time giving speeches.

**Hon Mr McGuinty:** I think the member is finished, Speaker. I think voters made that decision.

Will we bring the same style of fiscal management that was brought by the previous government? Will we hide a \$5.6-billion deficit? Will we borrow \$21 billion to give tax cuts that we couldn't afford? Will we compromise public services like health care and education? What we intend to do is to act on the mandate we've been given by the people of Ontario. We will fix their schools and improve their health care.

## SCHOOL CLOSURES

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. As you'll know, this is Education Week. Just four and a half months ago, in December, your Minister of Education announced a moratorium on further school closures until September 2004. Reasonable people were led to believe that no schools would close this spring, yet People for Education revealed today that 44 schools are in fact going to close in a couple of weeks. What happened to your moratorium on school closures? Why are you breaking your promise to the thousands of children whose schools will now close?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** To the minister.

**Hon Gerard Kennedy (Minister of Education):** The member opposite may wish to improve on the record of both the Leader of the Opposition and some of his caucus. He may wish to read what he has in front of him, which says that a certain number of schools have been reviewed that may close, or have been under review for closure. What that means is that under those members' government there was a review done that had no regard for whether a school was a quality school for students, had no regard for whether it was useful for the community, and had no regard as to whether it had economic benefit to our rural areas. That, I can tell you, is going to change. That will render the numbers in front of the member opposite quite meaningless.

**Mr Hampton:** I checked the dictionary just a few minutes ago, and "moratorium" doesn't mean that some schools will close; it means that no schools will close. When you made that promise, we asked you, "Where is the money so that these schools will have budgets and can remain open?" Dr Rozanski gave you a blueprint of what needs to be done to maintain these schools, but you haven't followed it.

So again, the question for the Premier is: Why did you, on the one hand, promise that no schools would close, why did you lead reasonable people to believe that no schools would close, and then fail to provide the money so that those very schools would have a budget and could remain open?

**Hon Mr Kennedy:** We've had a demonstration as to why the member opposite is still leading the dinosaur party that has nothing to say about a future here.

We said clearly when we made the announcement that where there was consensus in the community, those school closures could still go ahead. If new schools are being built, if the community agrees, those would happen. But let's be clear. This member opposite voted to support private schools in this House, in this Legislature. Luckily for the children of this province, he's not the leader of a school board out there. They're waiting for the appropriate time to hear about the funding and the new guidelines that will make a considerable difference in keeping good schools open in this province so that children can do well, which is our priority.

1430

#### POLITICAL CONTRIBUTIONS

**Mr Howard Hampton (Kenora-Rainy River):** We now learn that "moratorium," under the Liberals, doesn't mean what it says in the dictionary.

Back to the Premier. Premier, my question is about your other case of amnesia. Ten short months ago, when the Cortellucci companies were contributing hundreds of thousands of dollars to the Conservative Party, you condemned and vilified their activities. You used to use words like "conflict of interest" and "special deal" to describe the financial and political relationship between the Cortellucci companies and the Conservatives.

Now we learn that the Cortellucci companies have given \$122,000 to the Liberal Party, and yet you have nothing to say. Isn't it a bit hypocritical of you to criticize the \$100,000 donations to the Conservative Party and say nothing when they give \$100,000 to you?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Speaker: The member used language that is clearly unparliamentary.

**The Speaker (Hon Alvin Curling):** Would the member withdraw the unparliamentary word.

**Mr Hampton:** If I said something unparliamentary, I withdraw.

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The member will know that when we criticized contributions to the previous government, we did so because we felt that there was undue influence being exercised by the donor. If the member—

*Interjections.*

**Mr Tim Hudak (Erie-Lincoln):** Terrible day.

**The Speaker:** Order. It is a terrible day, unless we settle down and have responses and questions.

**Mr John R. Baird (Nepean-Carleton):** I can hear the bulldozers at the Oak Ridges moraine now.

**The Speaker:** Order. I can hear you when you should not be speaking, at a time when the Premier should be speaking.

**Hon Mr McGuinty:** I can say that we received a fair amount of criticism from the developers in Ontario because of our greenbelt legislation, because of the

changes we made to the Planning Act, and in particular because of our cancellation of the Adams mine proposal. So I can say that it is true that we have received a fair amount of criticism from developers in Ontario.

**Mr Hampton:** Developers seem to be very happy with what happened at the Oak Ridges moraine. They got 95% of what they wanted and the people of Ontario were told, "Too bad, so sad."

Even the member for Windsor West accused Mr Cortellucci of cronyism, of preferential treatment. And you, Premier, accused the Conservatives of "looking after those that brung ya to the dance." When did you begin your dance with the Cortelluccis? Is that all it takes to change your principles—\$100,000?

**Hon Mr McGuinty:** I can say that I first learned of these contributions yesterday. If the member opposite is insinuating that somehow we put together a sweetheart deal with any developer in the province of Ontario, then I'd ask him to table that so that we might all consider it.

#### ROAD SAFETY

**Mr Frank Klees (Oak Ridges):** My question is to the Minister of Transportation. Minister, in your new Ontario I'd like to get a sense from you of how you would make this decision: You're driving along and there are three children on the side of the road who are your next-door neighbours. You know them well. It's a driving blizzard. You pick up one child because you've got one booster seat and you leave the others in the blizzard. Is that your vision of Ontario, or would you break your law that you've just passed because you can't take them into the car? Answer the question.

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. Could I ask the members—

*Interjections.*

**The Speaker:** Order. I would appreciate a bit more co-operation from both sides so we can get through question period and maybe the rest of the day. Minister of Transportation.

**Hon Harinder S. Takhar (Minister of Transportation):** I think the honourable member from Oak Ridges has too much time on his hands and is obviously looking for some media attention. I'm not really going to get into answering his question that way.

Let me tell you what the intent of the legislation is. This legislation is intended to save children's lives, and that's what we intend to do. That's why we are proposing that the Highway Traffic Act be amended and that booster seats be made mandatory for children who weigh between 18 kilograms and 36 kilograms.

**Mr Klees:** Actually it was a very serious question to the Minister of Transportation. He's creating a very practical problem for people across this province. He hasn't thought this through. Premier, your minister hasn't thought it through. I'm going to ask him one more question that I also don't think he'll have an answer for.

My constituent in Oak Ridges, a hard-working single mother who has three children of the age you're

discussing here requiring this new booster seat: How much will this cost her?

**Hon Mr Takhar:** Let me first say that this initiative is being supported by health care professionals and safety organizations. The average cost of this seat starts around \$40. It's a worthwhile investment in safety.

*Interjections.*

**The Speaker:** New question. Order. Could I ask the minister to come to order, please.

*Interjection:* Which minister?

**The Speaker:** The minister who is speaking continuously.

1440

### TRAFFIC CONTROL

**Ms Judy Marsales (Hamilton West):** My question is for the Minister of Transportation. It is very timely to ask this question, as today the people of west Hamilton were again faced with a horrendous traffic jam. More and more people are enduring the frustration of commuting in and out of Hamilton to the GTA.

I have another minor frustration today. Because of this House, I missed the opportunity to introduce my son and his classmates from Hillfield-Strathallan College, who were occupying both the east and west galleries today. They were here at our request, so we'll say hello to them in their absence.

However, Minister, with the growth and prosperity in Hamilton and the GTA has come a growing population. What new measures has your ministry taken to combat congestion along our major corridors?

**Hon Harinder S. Takhar (Minister of Transportation):** Our government realizes, and our Premier has said this several times, that time spent on the roads is time that people are away from their families. We take this issue very seriously.

We are considering all the latest technologies on our highways. Currently we are testing, in a pilot program on the QEW and Royal Windsor Drive, a sign that will tell us how much time it will take from one destination to another destination. My colleague from Oakville has told me that it's working. We plan to take similar initiatives everywhere else so we can address some of these issues.

**Ms Marsales:** I have personally found those boards, particularly the one at Ford Drive, very helpful in commuting back and forth to Hamilton. The time-sensitive opportunity gauges the distance and allows people to settle down while they are commuting.

Are there any other strategies that the government may use to improve traffic flow along these busy highways?

**Hon Mr Takhar:** I already talked about one of the pilot projects we are carrying out, and it looks like it's going to be very successful.

Let me talk about a few other things, maybe about the high-tech system which we know as the Compass system. It improves safety, optimizes highway capacity and provides a better level of service to motorists without adding more traffic lanes. That's the kind of technology

that helps people go from one place to another and also helps us to manage the congestion on the highways. We will continue to look at the latest traffic technologies so that we can address some of these issues.

### GOVERNMENT SPENDING

**Mr Jim Flaherty (Whitby-Ajax):** My question is for the Premier. Your government has proven adept at increasing taxes—the largest single increase in the history of Ontario, \$4.1 billion—adept at new spending, in excess of \$3 billion in six months or so in government. But you know that your government has to look at the spending side and has to control spending if you are going to keep your promise to the people of Ontario to balance the budget. You yourself, Premier, have said, "I'm asking our public sector partners to be reasonable and responsible at the bargaining table." Those are your words. And in your Minister of Finance's Economic Outlook, he says, "The second element of our work plan is restraint. There must be restraint in the broader public sector."

These are serious matters if you are going to keep your promise to balance the budget in Ontario. Yet in the first negotiations, which are with the community college teachers, we see a settlement of in excess of 8%; 4% per annum over two years.

My question is, what is your plan for the second element of your work plan, which is restraint?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** The Minister of Finance will speak to this.

**Hon Greg Sorbara (Minister of Finance):** My friend from Whitby-Ajax, who served admirably as a finance minister in this province, knows that in the preparation of a budget, restraint and management of expenses is always a key element and a very important theme.

I think we have taken steps that have gone well beyond what any previous government has in Ontario, and it's not just in the consultations that preceded the hard work but in examining every single expenditure in government, to review all the areas where we spend, on behalf of taxpayers, their money for their programs and, I think, when he attends this Legislature on May 18, the rewards of the work we have done over the course of the past six months.

**Mr Flaherty:** That's the problem: There is no plan. You know that roughly 75% of provincial operating expenditures go for human resources. I think the people of Ontario—the nurses of Ontario, the physiotherapists, the people who work in our hospitals as lab technicians and so on—ought to have some idea from you about how you intend to exercise restraint.

Four per cent for the community college teachers; we hear from some of the hospital CEOs now that they're being told 1% or 1.5%. Is that your plan for the public sector workers in Ontario, or do you intend to have wage increases that are at the 4% or 5% level, which you know will result in your not being able to balance the budget

and the need for the same process we saw from 1990 to 1993 with the NDP, leading to a social contract and wage controls?

**Hon Mr Sorbara:** I hope my free-market friend from Whitby-Ajax is not joining with Terence Corcoran in calling for wage and price controls in Ontario, but you never know with this gang.

I want to say to him that we will exercise a very high degree of restraint. We will, for example, get out of the business of partisan advertising. There will be no million-dollar expenditure to market the budget after it's presented. We are going to get out of the business of wasting money, millions and millions of dollars on outside consultants.

As far as the working women and men in the broader public sector, I simply say to you that all of them have the benefit of collective bargaining, all of them have the benefit of the labour laws that act as a context for wage negotiations and they will be able to take advantage of that context when it comes time to negotiate a new contract.

## TENANTS

**Mr Peter Fonseca (Mississauga East):** I have a question for the Minister of Municipal Affairs and Housing. As you are aware, the city of Mississauga is one of the fastest-growing cities in both Ontario and Canada. According to StatsCan census results, the growth and expansion of Mississauga has created a city where approximately 30% of its dwellings are rental units. With a large number of the 55,000 rental dwellings located within my riding of Mississauga East, the so-called Tenant Protection Act has become one of the primary issues that my constituency office handles on a daily basis. Could the minister please explain to this Legislature what he is doing to change the current legislation, which does not protect tenants but instead allows landlords to increase rental rates astronomically?

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I would like to indicate to the member, as I indicated on April 20, that we will be introducing legislation in the House before the end of June whereby the automatic 2% rent increase that landlords are normally able to charge for a following year—in other words, that would start in January 2005—will not go into effect this year. That's so the consultation process we are currently involved in with both landlords and tenants can carry on without the underlying threat of an increase at the same time.

We will, however, allow landlords to use the rent control index so that any additional expenses they have incurred can be charged by way of additional rent in 2005, as they have in prior years.

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**Mr Fonseca:** Thank you, Minister, for your informative response. It's my understanding that your ministry will be organizing this ongoing consultation period until June 15 in order to incorporate the views and input of all

stakeholders into any decision that will be made. At this point, the town hall meeting for Mississauga will take place on June 15. Is there any other formal way my constituents can get involved, to voice their opinions directly to the ministry prior to this meeting?

**Hon Mr Gerretsen:** It is a very good question. Over the next month and a half there will be 10 consultation processes going on all across the province, in 10 different communities. We want to hear from both landlords and tenants, as we already have in Kitchener last week, and later on this week in Scarborough. These consultation processes will take place throughout the entire province. There are other ways as well for tenants and landlords to express their views, by getting on to the Web site of the ministry and there is a questionnaire they can answer there. They can also get involved at various stakeholder meetings that will take place across the province as well. We are interested in getting a viable rental housing market in Ontario that both landlords and tenants can benefit from by balanced tenant protection legislation.

## AUTOMOBILE INSURANCE

**Mr Howard Hampton (Kenora-Rainy River):** A question for the Premier, and this is another question about McGuinty math: Premier, you promised Ontario drivers a 10% to 20% reduction in their car insurance premiums, but that is not happening. Your promise of a 10% to 20% reduction in car insurance rates is becoming virtually everywhere a 20% or greater increase. In the latest example, when Mr Milazzo of Hamilton received his insurance renewal form from Western Assurance, what did he see? A 30% increase in his car insurance rates. Premier, using your best McGuinty math, can you tell Mr Milazzo how your promise of a 20% reduction became a 30% increase for him?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** The Minister of Finance.

**Hon Greg Sorbara (Minister of Finance):** The leader of the third party has the luxury of picking examples out of the air to build a case that simply has no justification based on the merits of what has happened. I want to tell my friend from Kenora-Rainy River that, as of April 15, 55% of the industry have submitted new rates that represent a 10% reduction in the rates that were in existence when we were called upon to govern on October 21. It's the very first thing we moved on. The balance of the industry will report very soon. I want to tell my friend from Kenora-Rainy River that when our work on auto insurance is complete, we will have lower rates, a more competitive system and a system that delivers real benefits when individual drivers suffer automobile accidents.

**Mr Hampton:** Premier, that attempt at an explanation doesn't help Mr Milazzo at all. He believed your promise. He believed that when he got his insurance renewal, he was going to see a reduction. He hasn't had any accidents. He hasn't had any claims. He hasn't had any tickets. He's still driving the same car he drove last

year and the year before that and the year before that. You keep telling people, "You're going to get an insurance rate reduction." I still haven't heard the explanation. How did your promise of a 20% reduction turn into a 30% increase for Mr Milazzo and thousands of other drivers across the province?

**Hon Mr Sorbara:** I am sure that Mr Milazzo, when he is in a renewal cycle with a company that has filed its new rates, will, like the 8 million other drivers in this province, start to benefit from the first series of reductions in auto insurance rates over the course of the past eight and a half years. But we're not done yet. The second phase of our reforms is going to give drivers the opportunity to design an insurance package that relates directly to their needs. We will have a more competitive market. I assert that, by the time we're done, we'll see rates that are some 20% lower than those which we inherited when we were called upon to govern.

#### HIGHWAY 407

**Mr John O'Toole (Durham):** My question is to the Minister of Transportation. You know that thousands of citizens in Durham and surrounding area have signed a petition that will be presented in the House today, calling on you to extend the 407 east to 35/115. You'd also know that this has been an issue that has been in stop-and-go mode for over 20 years. Actually, Roger Anderson, the chair of Durham region, described 407 as the missing link in the regional road network. My question is to you, not just on behalf of Durham region but the surrounding communities. As you know, there's a broader benefit to the east extension of the 407. What do you propose to do about it?

**Hon Harinder S. Takhar (Minister of Transportation):** First of all, I would like to thank the member for the question. I had the opportunity to meet with the representatives from the Durham-Peterborough region this morning. I think they're in the House, and I want to welcome them here. I actually had made the announcement about this in the House before the comment. We are absolutely committed to moving ahead with this project.

Let me just give you a little bit of history about this project, so that everybody is clear. From 1985 to 1990, the route planning of this highway was done. The EA was done, but was never filed with the Ministry of the Environment. If that had been done, by now we would be in the design and construction phase of this project. From 1994 to 2001, there was absolutely nothing done on this project. The member is right, that this project has been in the—

**The Speaker (Hon Alvin Curling):** Thank you. Maybe in the supplementary you can get that in.

**Mr O'Toole:** I do want to acknowledge in the gallery today the people who put a face to how important this issue is in my riding: The chair of Durham region, Roger Anderson; the mayor of Clarington, John Mutton; councillor Jack Doris from the city of Peterborough; Dave Nelson, the warden of the county of Peterborough; and

Bob Malcolmson, the CEO and general manager of the chamber of commerce. They know how important it is. The issue here is, do you know?

It isn't a political question. It is, what is your commitment to the region of Durham, to making this issue go ahead? I have thousands of petitions here that are the voice of Durham. I'm presenting them to you, not for more excuses, but a commitment here today on what you're going to do for the east completion of the 407 highway. I'm finished listening to the constituents. What are you going to do?

**Hon Mr Takhar:** It's really interesting, because this is exactly the response I gave to him in the meeting. He was trying to make it a political issue. I said, "This is not a political issue. This is about the economic development of the community. It's about the prosperity of the community." We're going to move ahead with this project. We are in the middle of developing the terms of reference for the EA. That is going to—

**Mr Frank Klees (Oak Ridges):** We've already had that done.

**Hon Mr Takhar:** If you knew that, you would have done something. It's not done. You just make promises; you don't do anything.

#### 1500

#### FAMILY FARMS

**Mr Lou Rinaldi (Northumberland):** My question is to the Minister of Agriculture. Minister, last Friday I was pleased to make an announcement on your behalf. I announced your ministry's program exempting family farms from land transfer tax at the farm of Dave and Joan Dorland in my riding of Northumberland.

There are over 1,100 farms in Northumberland county, providing over 2,200 jobs. In 2001, this brought in an estimated \$247 million to our local economy. We produce everything from beef and dairy to apples and oilseeds, and our products end up on grocery store shelves and dinner tables across Ontario.

Minister, as you know, 98% of farms in Ontario are family owned, and many families are worried about the sustainability of their farms for future generations. What impact will this announcement have on family farms in Ontario?

**Hon Steve Peters (Minister of Agriculture and Food):** I'm pleased to answer the question from the member for Northumberland. I think any member who represents a rural riding should be very pleased with this announcement of real, positive change for rural farms.

What this is going to do is encourage participation of a new generation of farmers in this province, and that's what we need to do. We need to ensure that we have a very smooth family-to-family succession of farmers. This rebate is going to apply to anywhere from 0.5% to 2% of the sale price of a farm. That can be substantial. These are dollars that a young farmer can use to reinvest into his or her operation. This is going to help farmers plan for the future. This is good news for rural Ontario, but I

think more importantly, this is good news for the future of agriculture in this province.

**Mr Rinaldi:** Minister, family farms are the heart and soul of rural communities like those in the city of Quinte West and in Northumberland county. Quite simply, family farming is a tradition in my riding.

Our farmers are also creative and have generated a significant agri-tourism industry. Visitors come each year to travel along the apple route, enjoy the scenery, and pick their own apples to take home. The Rural Ramble farm tour has also been a huge hit with tourists.

More than half of Northumberland county is classified as agricultural, and half of that is classified in the top category of land in Canada. This is a significant statistic when you realize that only one half of 1% of land in Canada is classified as class 1. But there are many pressures facing family farms. Minister, what else are you doing to ensure that Northumberland and Ontario family farms remain sustainable?

**Hon Mr Peters:** I thank the member for his interest in agriculture. Every one of us should take that interest on a daily basis. Be conscious when you go into that grocery store and buy an Ontario product, because that's the way that every one of us can reinvest in this province.

We are continuing to work. We've signed the agricultural policy framework with the federal government to bring some long-term stability to the industry. We're working with the Ministry of Finance right now to address assessment issues. We know there are a number of assessment issues that have arisen in the rural areas. We're dealing with that. We've developed the mature animal cull program to help develop new slaughter capacity for this province. We're working with the tender fruit industry in increasing our surveillance of the plum pox virus, as well as assisting the tender fruit growers in trying to put new investments in to replant those trees. We need the support of all members to continue to invest in agriculture, because this is the engine that feeds the rest of us in this province.

#### FISH HATCHERIES

**Mr Jerry J. Ouellette (Oshawa):** My question is for the Minister of Natural Resources. As I'm sure you're well aware, your ministry releases in excess of 10 million fish annually throughout 1,200 waterways in Ontario. Fishing provides millions of recreational hours annually, as well as millions of dollars as an economic stimulus to the province. Thousands of tourists regularly visit our great waters. Yesterday's article, as a matter of fact, spoke about the resurgence of Atlantic salmon throughout Ontario. As I'm sure you're well aware, my job now is to watch over the MNR on behalf of the public at large, and concerns are being brought to my attention that your ministry is currently reviewing the hatcheries and the hatchery program in Ontario and possibly getting out of hatcheries. Minister, what is your commitment to Ontario's hatcheries?

**Hon David Ramsay (Minister of Natural Resources):** I appreciate the question from my colleague and my critic.

You're right, that is your job. Like you, I really do support angling in Ontario. Not only is it one of the greatest recreational pursuits you can have in this province, but it's a tremendous contributor to our economy right across the province. We believe in a sustainable fishery, and hatcheries play a part in that. As you know, over the years the trend has been to make sure we protect and preserve our habitat so that we get natural reproduction of fish. That is the way to go. Obviously we are still in the hatchery business and will continue to be so.

**Mr Ouellette:** Minister, that's very good news for the people who are so dependent on the hatchery system. One of the other components within the ministry is its partners and partner hatcheries through the CFIP program. These individuals all work in conjunction with the ministry, making sure they follow the guidelines and releasing the number of fish they catch along with clippings etc. What is the ministry's commitment to CFIP hatcheries in the province?

**Hon David Ramsay:** We are looking at all the possibilities in the various programs we have in improving our fishery. We are reviewing all of that now. As you know, in your job when you were there, when I'm here now, we're looking to see how we can make this work better in the province. As I said to you before, the health of the fish stock in this province is extremely important, both for health reasons, to encourage that recreational activity, but also as a tremendous economic boost to this province. We will make sure from this government that our fish industry is sustainable in this province.

#### EDUCATION

**Mr Tony C. Wong (Markham):** My question is for the Minister of Education. I had the pleasure of attending the Premier's announcement on Thursday, April 22, in which he reaffirmed the Liberal government's commitment to excellence and quality education. As former vice-chair of York region's character council, I was pleased that the announcement took place at York region's character community council conference. York region's character community council and character community councils across the province engage community leaders to encourage youth to make them productive members of their respective communities. Minister, my question is, how will the Ministry of Education ensure that Ontario's students develop their intellectual, emotional and physical potential?

**Hon Gerard Kennedy (Minister of Education):** I want to commend the member opposite, not just for the interest expressed in the question but also for the work he did for the character council. York region's done a lot of work to bring out citizenship values and recognize that schools aren't just for the learning of academics.

To his question: We want to develop the intellectual, physical and emotional needs of children and youth. We do that by having very express goals for those things. We want to make sure there is phys ed on a regular basis. We want to make sure that music and the arts have a place in

our schools. We want to set a new line in terms of a 12-year-old in this province, to make sure that that's there, that we really focus our attention to make sure they have a high level of literacy, numeracy and comprehension, because it's only on that foundation that the rest of the opportunities can happen in their education experience and really be built for the rest of their lives.

**Mr Wong:** Minister, it is crucial that we give our children the best education we possibly can. You and I know that children are the future of Ontario. Parents, teachers and students in my riding of Markham want to know that we are taking the appropriate steps to improve literacy and numeracy standards. What is the government doing to improve literacy and numeracy so that Ontario can compete nationally and globally and so that our workforce is the best in the world?

**Hon Mr Kennedy:** We have in fact put together a made-in-Ontario strategy that draws on the best around the world. These changes will start to take place in Ontario schools almost immediately. We are putting together, for example, lead teachers—two for literacy and numeracy in each school. That means four lead teachers as of this fall in all 4,000 elementary schools.

We will also have, for the first time, support available for teachers to help them focus on literacy and numeracy by making the curriculum more accepting in terms of where they need to focus—a literacy hour every day and math time in each instructional day, because we understand that within our system is the chance for these individuals to have their own choices to go forward. As well, we're making sure they don't get lost in the crowd. The earliest years are how we're going to make sure we reach our goal by 12, and that means smaller class sizes, beginning this September.

1510

#### AMBULANCE SERVICE

**Mr Peter Kormos (Niagara Centre):** To the Minister of Health: On March 30, you told us that a decision around the Niagara ambulance dispatch was going to be forthcoming shortly—in fact, that it would be made within the timeline, your word, of the April 30 deadline that you set. We believed you. We did; we took you at your word. We counted on what you had to say, yet all we got was a request for another extension. Why couldn't you keep the promise you made on March 30?

**Hon George Smitherman (Minister of Health and Long-Term Care):** The Welland whirlwind is at it again. What's all this about? It's about 30 days. This government is taking responsibility for an issue that that party, when they were in government, talked about but couldn't get done. I'm working very hard to align all that's necessary to make this announcement that's important to the people of Niagara region.

I think it's incumbent upon all members to read all the signals that are available. The member for Welland and the member for Erie-Lincoln both know that this issue is in hand, that we're working toward a resolution that will

be satisfactory to the people of Niagara region. And when it's done, it will be as a result of the hard work and labour of this government fulfilling a commitment that's been made, rather than that party, when they were in government, just talking the talk.

**Mr Kormos:** It's not about 30 days; it's about the months and years that people in Niagara have waited for this to happen. It's about the lives that have been lost. It's about the lives of the people in Niagara, who continue to be at risk because of your failure to act on work that had already been completed.

It ain't rocket science, Minister. You told us that we could count on you to make an announcement before April 30. We took you at your word. It's clear we can't count on you when you say you're going to do something. When are you going to keep your commitment to announce Niagara's ambulance dispatch service and save some lives instead of putting them at risk?

**Hon Mr Smitherman:** As a result of the hard work of the members for Niagara Falls, St Catharines and Stoney Creek, we've been working very hard for the resolution that the people of Niagara region desire.

The member, in his question, talks about "years and years." The reality is that we have been a government for but six short months, and in that time we have made it a priority to deliver on this important commitment for the people of Niagara region. No sign of a lack of confidence has been shown by the member for St Catharines. No sign of a lack of confidence on the issue has been shown by the member for Niagara Falls. No sign of a lack of confidence on this issue has been shown by the member for Stoney Creek. But that member and that member, interested in playing politics and inflaming tensions in their region, have been stirring the pot.

It will be this government that delivers on the commitment for the Niagara land ambulance. When that day comes, the people of Niagara will know that this is a government that walks the talk, because we're going to deliver on this commitment.

#### TOBACCO GROWERS

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** To the Minister of Agriculture: This morning Canada's agriculture minister announced \$71 million for tobacco compensation. Our previous government committed to follow the federal lead on tobacco compensation. When will you cut your government's promised cheque to the tobacco community?

**Hon Steve Peters (Minister of Agriculture and Food):** As the member for Haldimand-Norfolk-Brant well knows, it's not for me to speculate on any issues that are of a budgetary nature.

But I would like to take the opportunity to congratulate the federal government on their announcement today. Let me be perfectly clear: We take the health care needs of Ontarians very seriously. We have made a commitment that we are going to have an aggressive smoking cessation strategy in this province. It's a commitment that

I know my colleague the Minister of Health and Long-Term Care is working on. I know it's a commitment that the Premier's extremely concerned about. That's a commitment that we're going to follow through on.

**Mr Barrett:** I also thank the federal government for finally committing dollars to tobacco transition funding. That's what I'm talking about. Our government knew how important it was to get money into the hands of farmers immediately. In the days of our administration, we quickly announced this money well before the federal dollars were released. Now things are reversed. Tobacco farmers have already had to wait too long, Minister. Can they not count on you to get your share of the transition money to them immediately?

**Hon Mr Peters:** The member can stand up and pat the previous government on the back all he wants, but I just wanted to demonstrate and let it be known that we are committed to the farmers of this province. We've been there for the farmers and we'll continue to be there for the farmers.

The Premier announced \$64 million in transition funding for the farmers of this province. The Premier announced a \$10-million plan to help develop new capacity in this province. We are working with the Ontario Agricultural Commodity Council right now on the development of dealing with the wedge transition dollars. We've worked with the Ontario Federation of Agriculture to ensure that we have a smooth succession of family-to-family farms. Again, I say to the member opposite, I'm not going to speculate on any issues and any initiatives that will be or may be contained down the road.

#### AUTOMOBILE INSURANCE

**Mr John Milloy (Kitchener Centre):** I think I speak for all members of the House when I say how concerned we are about the problems surrounding rising insurance costs. I must say I was quite troubled by the case raised by the leader of the New Democratic Party a few minutes ago. I realize that the Minister of Finance has had a few minutes to look into the case, and I was wondering if he had any more information about this case and how it reflects the issue of rising insurance costs.

**Hon Greg Sorbara (Minister of Finance):** We have looked into the matter, and I want to offer my friend from Kenora-Rainy River the opportunity to apologize to this House. He knows full well that the reforms we brought in are leading to rate reductions as of April 15. He raised the matter of a Hamilton resident, and he alleges that those rates went up by some 30%. Well, we've looked into the matter, and indeed that was the case, and the renewal notice was dated January 15 of this year.

The fact is that the member from Kenora-Rainy River has an obligation at least to do a minimum amount of research before he alleges in this House that we have not kept the promises that we made.

**Mr Milloy:** I know that the current efforts by the government are just the first phase of our plan to provide real relief in terms of auto insurance. I wonder if the

minister could outline to the House what efforts will be happening next in this fight to provide affordable auto rates to insurers in Ontario.

**Hon Mr Sorbara:** The first thing we're going to do is pay far less attention to the allegations brought to this House by the member from Kenora-Rainy River and the leader of the New Democratic Party.

Phase one is done and we anticipate the balance of the companies reporting, and when all of the companies have reported, we'll have, on average, rates that are 10% lower. The next phase of reforms involves redesigning and eliminating some of the administrative burdens that get in the way of the speedy resolution of claims. We are also designing a system where individual policyholders can custom-design their insurance policy so they're buying only the insurance they need. Finally, we're taking steps to create a much more competitive market because, in the end, vibrant competition among insurance companies is the single best way to ensure that we have the best possible product in the entire country.

1520

#### PETITIONS

#### HIGHWAY 407

**Mr John O'Toole (Durham):** It's a pleasure to present a huge petition that has been gathered by Bert Werry, who is from my riding of Durham. I'm presenting it on behalf of thousands of people, not just in Durham, but the city of Kawartha Lakes, Peterborough and Peterborough county. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the timely and efficient movement of people and products is critical to the success of the Ontario economy;

"Whereas the province of Ontario is meeting the challenge of traffic congestion in the greater Toronto area by improving our highway network and by improvements to public transportation;

"Whereas the construction of Highway 407 eastward into Durham region, across Clarington to Highways 35/115 would improve the flow of traffic in Durham region and throughout the GTA;

"Whereas citizens and municipalities of Durham region faced uncertainty over the final alignment of the proposed 407 highway for many years and are entitled to a timely resolution of this matter;

"Whereas the Clarington agricultural advisory committee, CAAC, has expressed concern and advocates for final construction completion of Highway 407 through Clarington, connecting to 35/115;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the province of Ontario take all necessary steps to fast-track the extension of Highway 407 eastward into the regional municipality of Durham and that this commitment include the extension of Highway 407 through

Clarington to connect with Highway 35/115, while ensuring that all the necessary environmental assessments and public consultations are followed."

With your pleasure, I present this petition to the Legislative Assembly of Ontario.

### MINIMUM WAGE

**Mr Rosario Marchese (Trinity-Spadina):** Addressed to the Ontario Legislature:

"Because the minimum wage has been frozen at \$6.85 since 1995 despite increases in the cost of living; and

"Because a full-time worker earning the current minimum wage in a large city is \$5,904 below the poverty line, and to reach the poverty line would need an hourly wage of at least \$10; and

"Because the minimum wage should provide people with an adequate standard of living;

"We demand that the Ontario government immediately increase the minimum wage to at least the poverty line—that means \$10 an hour—and index it to the cost of living."

I affix my signature to that.

### GOVERNMENT CONSULTANTS

**Mr Tony Ruprecht (Davenport):** I have another petition, which will cause another outburst by Conservative members. I think they should be warned ahead of time not to get excited. The petition reads as follows:

"Whereas former Premier Mike Harris has received \$18,000 in consulting fees from Ontario Hydro;

"Whereas he did this consulting work less than one year after he resigned his position as Premier of Ontario;

"Whereas this contract is just another example of the Conservative country club created by the previous government at Ontario Hydro and Ontario Power Generation;

"We, the undersigned, petition the Legislative Assembly of Ontario to order former Premier Mike Harris to pay back the taxpayers of Ontario by returning the consultation fee he received from Ontario Hydro."

Mr Speaker, I will present this to you.

### TAXATION

**Mr Bill Murdoch (Bruce-Grey-Owen Sound):** As we've heard here today in the House of another promise broken, people are still concerned that other promises may be broken out there. I have a petition to the Legislative Assembly.

"Whereas every day, 1.5 million Ontarians, including seniors, health care workers and students, purchase a basic meal that costs less than \$4; and

"Whereas a new 8% tax on such meals will disadvantage low-income Ontarians; and

"Whereas adding a tax for the first time on a glass of milk, a salad, a bowl of soup or a cup of coffee will affect a total of 1.5 million Ontarians each and every day in restaurants and cafeterias across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not impose a new 8% tax on basic meals under \$4."

I've also signed it.

### HIGHWAY 407

**Mr Jeff Leal (Peterborough):** "To the Legislative Assembly of Ontario:

"Whereas the timely and efficient movement of people and products are crucial to the success of the Ontario economy;

"Whereas the province of Ontario is meeting the challenge of traffic congestion in the greater Toronto area by improvements to our highway networks and by improving public transportation;

"Whereas the construction of Highway 407 eastward into the Durham region, across Clarington to Highways 35/115, would improve the flow of traffic in Durham region and throughout the GTA;

"Whereas citizens and municipalities of Durham region have faced uncertainty over the final alignment of the proposed 407 highway for many years and are entitled to a timely resolution to this matter;

"Whereas the Clarington agricultural advisory committee, CAAC, has expressed concerns and advocates for final construction completion of Highway 407 through Clarington connecting 35/115;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario take steps to fast-track the extension of Highway 407 eastward into the regional municipality of Durham, and that this commitment include the extension of Highway 407 through Clarington to connect with Highway 35/115, while ensuring that all the necessary environmental assessment and public consultations are followed."

I will sign this petition.

### PHYSIOTHERAPY SERVICES

**Mr Cameron Jackson (Burlington):** This is a petition that brings it up to over 10,000 now.

"To the Legislative Assembly of Ontario:

"Whereas seniors and other qualified patients require the continued provision of physiotherapy services through schedule 5 clinics to promote recovery from medical conditions and continued mobility and good health;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The patients of schedule 5 physiotherapy clinics request the continued support of the Legislative Assembly of Ontario for provision of OHIP-covered physiotherapy treatment to qualified seniors and others in need of these vital health care procedures."

This has my signature in support as well.

## HOSPITALS

**Mr Bruce Crozier (Essex):** I have a petition from the citizens of Windsor and Essex county.

"To the Legislative Assembly of Ontario:

"Whereas the residents of our community must have adequate locally available health care services; and

"Whereas mounting threats to the overall health of our residents arise in the form of viral threats, environmental degradation, and from potentially as yet unknown sources; and

"Whereas local hospitals have been eliminating highly trained and experienced RPNs from their traditional jobs and replacing them with RNs, thereby upsetting long-standing work team relationships that have greatly benefited our community; and

"Whereas local hospitals have been operating short-staffed far too often, and thereby putting patient care at risk;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Therefore, be it resolved that all local community hospitals cease all deficit-driven reductions in front-line worker hours and all deficit-driven experiments in workplace reorganization and that they restore and strengthen staff and work teams.

"Be it also resolved that local community hospitals set up consultative bodies with the hospital unions and the labour movement to restore health and morale to the hospital sector."

## ONTARIO DRUG BENEFIT PROGRAM

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to present a petition on behalf of seniors from Stevensville, Ontario, like Margaret Riley and Beverley and Thomas Mounsey, that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas during the election campaign the Dalton McGuinty Liberals said they would improve the Ontario drug benefit program but now are considering delisting drugs and imposing higher user fees; and

"Whereas the Liberal government has increased costs to seniors by taking away the seniors' property tax rebate and increased the price of hydro;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors' drug fees."

In support, my signature.

## ONTARIO DISABILITY SUPPORT PROGRAM

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** This is a petition to the Legislative Assembly of Ontario.

"Whereas the most vulnerable individuals in our society deserve to be treated with respect and dignity; and

"Whereas the previous government ignored the poor in order to pay for irresponsible tax cuts for the wealthy; and

"Whereas barriers need to be removed in order to ensure full participation for Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario to introduce a cost-of-living increase to the ODSP program as soon as possible and to legislate changes that will ensure Ontarians with disabilities can participate fully in a stronger Ontario."

I agree with the petition and I'm signing my name to it.

## SOCIAL ASSISTANCE

**Mr Michael Prue (Beaches-East York):** I have a petition that reads as follows, to the province of Ontario:

"That Ontario Works was slashed by 21.6% in 1995, and with the increases to the cost of living, that cut is worth nearly 40% today;

"That Ontario disability support program benefits have been frozen since 1993; and because current social assistance rates do not allow recipients to meet their cost of living;

"That the people of Ontario deserve an adequate standard of living and are guaranteed such by the International Covenant on Economic, Social and Cultural Rights;

"That the jury at the inquest into the death of Kimberly Rogers recommended that social assistance rates be reviewed so that they reflect the actual costs of living;

"Therefore, your petitioners respectfully request that the honourable House urge the Ontario government to immediately increase social assistance rates to reflect the true cost of living. This means shelter allowances that are based on the average local rents as calculated by the Canada Mortgage and Housing Corp, a basic needs allowance that is based on the nutritional food baskets prepared by local health units as well as the calculations for the costs of household operation, household furnishings and equipment, clothing, transportation and health care as reported in Statistics Canada's Average Household Expenditures."

This is signed by hundreds of people, and I affix my signature thereto as well.

1530

## HIGHWAY 407

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the timely and efficient movement of people and products is critical to the success of the Ontario economy;

"Whereas the province of Ontario is meeting the challenge of traffic congestion in the greater Toronto area by improvements to our highway network and by improved public transportation;

"Whereas the construction of Highway 407 eastward into Durham region, across Clarington to highway 35/115, would improve the flow of traffic in Durham region and throughout the GTA;

"Whereas citizens and municipalities of Durham region have faced uncertainty over the final alignment of the proposed 407 highway for many years and are entitled to a timely resolution of this matter;

"Whereas the Clarington agricultural advisory committee, CCAC, has expressed concerns and advocates for final construction completion of Highway 407 through Clarington, connecting to 35/115;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario take steps to fast-track the extension of Highway 407 eastward into the regional municipality of Durham and that this commitment include the extension of Highway 407 through Clarington to connect with highway 35/115, while ensuring that all the necessary environmental assessments and public consultations are followed."

As I agree with the petition, I'll sign it accordingly.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Garfield Dunlop (Simcoe North):** To the Legislative Assembly of Ontario:

"Whereas the Liberal government has said in their election platform that they were committed to improving the Ontario drug benefit program for seniors and are now considering delisting drugs and imposing user fees on seniors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To halt the consideration of imposing an income test, delisting drugs for coverage under the Ontario drug benefit plan or putting in place user fees for seniors, and to maintain the present Ontario drug benefit plan for seniors to cover medication."

I've signed my name to that as well.

#### IMMIGRANTS' SKILLS

**Mr Bob Delaney (Mississauga West):** I have a petition to present to the Ontario Legislative Assembly on behalf of some members of the Peel Multicultural Council. It says:

"Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

"Whereas newcomers to Canada who choose to settle in Ontario find frequent and unnecessary obstacles that prevent skilled tradespeople, professional and managerial

talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

"Whereas Ontario, its businesses, its people and its institutions badly need the professional, managerial and technical skills that many newcomers to Canada have and want to use;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Training, Colleges and Universities and the other institutions and agencies of and within the government of Ontario, undertake specific and proactive measures to work with the bodies regulating access to Ontario's professions, trades and other occupations in order that newcomers to Canada gain fair, timely and cost-effective access to certification and other measures that facilitate the entry or re-entry of skilled workers and professionals trained outside Canada into the Canadian workforce."

I'm pleased to affix my signature to this petition.

#### TAXATION

**Mr Norm Miller (Parry Sound-Muskoka):** I'm pleased to present a petition from the constituents of Parry Sound-Muskoka, and it reads:

"To the Legislative Assembly of Ontario:

"Whereas every day, 1.5 million Ontarians, including seniors, health care workers and students, purchase a basic meal that costs less than \$4; and

"Whereas a new 8% tax on such meals will disadvantage low-income Ontarians; and

"Whereas adding a tax for the first time on a glass of milk, a salad, a bowl of soup or a cup of coffee will affect a total of 1.5 million Ontarians each and every day in restaurants and cafeterias across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not impose a new 8% tax on basic meals under \$4."

I affix my signature to this.

**The Speaker (Hon Alvin Curling):** The member for Beaches-East York.

#### SOCIAL ASSISTANCE

**Mr Michael Prue (Beaches-East York):** Thank you very much, Mr Speaker. That's only twice today.

This is to the Ontario Legislature and reads as follows:

"Because social assistance rates were slashed by 21.6% in 1995, and with the increase in the cost of living, that cut is worth about 34.4% today; and

"Because current social assistance rates do not allow recipients to meet their cost of living; and

"Because the people of Ontario deserve an adequate standard of living and are guaranteed such by the International Covenant on Economic, Social and Cultural Rights; and

"Because the jury at the inquest into the death of Kimberly Rogers recommended that social assistance rates be reviewed so that they reflect the actual costs of living;

"We demand that the Ontario government immediately increase the shelter portion of Ontario Works and Ontario disability support program benefits to the average Canada Mortgage and Housing Corp rent levels and index social assistance to the cost of living."

I'm in agreement and sign my name thereto.

## ORDERS OF THE DAY

### STRONG COMMUNITIES (PLANNING AMENDMENT) ACT, 2003

### LOI DE 2003 SUR LE RENFORCEMENT DES COLLECTIVITÉS (MODIFICATION DE LA LOI SUR L'AMÉNAGEMENT DU TERRITOIRE)

Mr Gerretsen moved second reading of the following bill:

Bill 26, An Act to amend the Planning Act / Projet de loi 26, Loi modifiant la Loi sur l'aménagement du territoire.

**The Speaker (Hon Alvin Curling):** Mr Gerretsen.

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** Good afternoon, everyone, those of us who are assembled here in the House, and thank you, Speaker, for the opportunity to speak on Bill 26.

We all know that this is a time for real, positive change in Ontario and in Ontario's communities. Our proposed legislation sets the foundation for that change. The proposed Strong Communities (Planning Amendment) Act, 2003 aims to strengthen our municipalities and create healthy and prosperous communities by changing the Planning Act, revising the implementation standard for the provincial policy statement, which is the government's statement of its land use planning priorities, and reforming the appeal process to the Ontario Municipal Board.

Before going any further, I just want to indicate that I will be sharing my time with the members for Prince Edward-Hastings, Etobicoke North and Lambton-Kent-Middlesex.

**Mr Tim Hudak (Erie-Lincoln):** Very generous of you.

**Hon Mr Gerretsen:** Yes it is very generous.

As you're aware, the Planning Act establishes the rules for land use planning in the province and describes how land uses may be controlled and who may control them. On December 15 last year, this government took decisive action toward planning reform with the introduction of Bill 26, the proposed Strong Communities (Planning Amendment) Act.

Bill 26 includes measures that would, if passed, (1) give municipalities more time to review and approve development applications; (2) prevent appeals to the Ontario Municipal Board of urban expansions opposed by municipal governments; (3) require that planning decisions be consistent with the provincial policy statement, a much stronger test than the current "have regard to" standard put in place by the previous government; and (4) give the province the power to confirm, vary and rescind a decision made by the OMB where a matter of provincial interest may be adversely affected.

The bill proposes to make changes to the Planning Act that would improve the land use planning system by making rules more clear and consistent, ensuring the process is more accountable and transparent and giving the public more of a voice. The provincial policy statement is currently being reviewed as part of the required five-year review of the statement under the Planning Act. I might indicate that we're starting that process well ahead of its time and there will be full consultation with respect to the provincial policy statement some time this summer.

The purpose is to determine if the provincial policy statement policies need to be revised based on their ability to address emerging issues that are of provincial interest, including eliminating gridlock, preventing sprawl, preserving green space and protecting the environment. This is to ensure that provincial land use planning policies are promoting well-planned growth that supports a strong economy, strong communities and a healthy environment. It's all about a strong economy and strong communities.

1540

The Ontario Municipal Board is an independent adjudicative tribunal that makes decisions at arm's length from the government and has all the powers of a court of record. The procedures and makeup of the Ontario Municipal Board are governed by its own legislation, the Ontario Municipal Board Act, which is administered by the Ministry of the Attorney General. The majority of matters that come before the OMB relate to appeals of planning applications under the Planning Act.

Bill 26 is only the first part of a comprehensive overhaul of the OMB, one of our government's top priorities. This government, the McGuinty government, is committed to providing Ontarians with safe, clean, livable communities. The proposed changes to the land use planning system support this commitment. This would be a positive step for Ontario's communities.

A strong land use planning system would, first, support strong communities by giving people the opportunity to participate in deciding how their communities grow and prosper; second, enhance sustainable growth through a check on urban sprawl, gridlock and a loss of valuable agricultural lands; third, ensure sustainable development by changing the implementation standard to be consistent with provincial policies that the government and the public feel are critical for good planning; and fourth,

protect the environment by allowing development only in areas where it can be sustained.

Ontario's municipalities agree with this move. They have let us know that they are generally in support of the direction the government is proposing to take by Bill 26. We are hearing from the people who live in Ontario's communities, and they are letting us know their concerns. Ontarians have let us know their concerns for clean air and water, for communities that are safe and for cities and towns that work for the people who live in them.

There have been concerns raised by the municipal sector, the general public and the media that local planning autonomy and the integrity of the local planning process have been compromised where the OMB has issued decisions which overturn decisions of elected councils. Municipalities and other stakeholders have asked that the role of the OMB as an adjudicator of appeals under the Planning Act be reviewed.

Environmental groups have concerns about how the proposed planning reforms protect heritage resources and our environment. Development groups have concerns about how the proposed changes will affect the development sector and our economy as a whole. The resource sector has concerns about how the proposed "shall be consistent with" standard will affect the resource sector.

We are taking notice of all these concerns and we will continue discussions with our stakeholders and the public on how best to address them. This government is interested in hearing the many perspectives and ideas that will help guide us in developing a better land use planning system in Ontario.

Currently, our proposed changes to land use planning address high priority concerns, but we're not stopping here. There will be further reviews of the Planning Act, and there will be more fundamental reforms proposed to the planning system. These reforms, as contained in Bill 26, if passed, would bring in fundamental change to land use planning in Ontario. We're also working with our communities on providing them with additional tools to help deliver the services that Ontarians expect, and provide an environment that is safe, clean and healthy for the people who live, work and play in our communities.

This government has made real, positive change in the provincial-municipal working relationship, one that values input from each side and draws support from the people who are served by these two orders of government. Over the last eight years, Ontario's municipalities have faced many challenges: uncontrolled development, unwarranted gridlock, endangered heritage and water resources, loss of green space and unhealthy air. This has clearly had a negative effect on our environment and has also hurt our economy. If passed, the Strong Communities (Planning Amendment) Act, 2003, would give Ontarians a real voice in the way our communities grow and prosper, bring back local accountability and transparency to land use planning and ensure that important provincial land use policies are clearly spelled out, so that vital provincial interests are protected for the benefit of all Ontarians. This government recognizes that On-

tario's municipalities need a new deal that will restore to them the ability to plan, manage and invest in the future. We are committed to building safe and strong, livable communities and providing communities with the tools to develop and sustain them.

Recently, I met with the Association of Municipalities of Ontario. As a matter of fact, I've met with them on a number of occasions. AMO, as you know, is the voice of municipalities and has been key in keeping governments abreast of municipal concerns. AMO's recommendations have also proven valuable in the implementation of government initiatives.

I delivered to them the message that Premier McGuinty has asked to begin a dialogue that will lead to a new partnership between Ontario and its municipalities. Our government has committed to enshrining the memorandum of understanding with AMO in proposed legislation. This would, if passed, be an unprecedented step in provincial-municipal relationships. We will use this opportunity for closer co-operation on issues that affect Ontario's municipalities.

The AMO planning task force has met with the staff of the Ministry of Municipal Affairs and Housing to discuss ideas and perspectives on Bill 26 and the planning appeal process. AMO mentioned that it is encouraged by the direction of proposed Bill 26. It also made recommendations on a number of further positive changes, specifically as relates to complete applications and the Ontario Municipal Board, among others. The government values these recommendations. These views are welcome and can only benefit all of Ontario.

If passed, our reforms to the planning system would support, and be supported by, a number of initiatives being moved forward by this government. It also includes the proposed Greenbelt Protection Act, 2003, which was given second reading just last week; the growth management strategy, under the Ministry of Public Infrastructure Renewal; source water protection and waste management, under the Ministry of the Environment; and the Greater Toronto Transportation Authority and other transportation strategies, under the Ministry of Transportation. All these actions support our commitment for well-planned, managed growth leading to safe, clean, livable communities.

As mentioned, the proposed Strong Communities (Planning Amendment) Act, if passed, would be only the first step toward possibly more fundamental reforms to the planning system. From the feedback we're getting from our stakeholders, we will identify the need for other changes. We are also looking, as I mentioned before, at enhancing the provincial policy statement—the province's policies on land use planning. Through the review process, we will ensure there is clear direction for land use planning decision-makers, including the OMB. We will ensure that the policies address concerns that are important to the people of Ontario, such as eliminating gridlock, protecting the environment, preserving green space and heritage resources and containing urban sprawl.

The proposed Strong Communities (Planning Amendment) Act would, if passed, be the key to reforming land use planning in Ontario. We can simply no longer allow uncontrolled development in Ontario. We need reforms to land use planning that will give our municipalities the tools to grow smart and give our communities the ability to grow strong. Ultimately, the strength of Ontario will be measured by the strength of its communities.

**Mr Ernie Parsons (Prince Edward-Hastings):** It's my pleasure to speak to Bill 26, the Strong Communities (Planning Amendment) Act, 2003. I commend Mr Gerretsen for bringing this forward.

I feel I'm somewhat dating myself when I confess that I went to university during the 1960s, which was the flower child era. I will admit that I was never a flower child. But at that time, university students, by and large, were setting out to try to save the world. I was in engineering, and we were trying to pave the world. I now realize that we were wrong. I was trained, not educated; I'm now somewhat educated, I hope, and realize the importance of planning, because I have never seen a building, a house or a highway constructed, and then, at some stage, it being returned back to nature or to farmland. So whatever we do is going to have a permanent effect on our communities and our province. I think all of us can cite examples that distress us personally when we see some of the best farmland in Ontario that has gone underneath asphalt in previous years. It has a profound effect on our way of life.

**1550**

Some 30 or 40 years ago, we believed that the amount of safe, clean drinking water in Ontario was endless. There was no need to protect drinking water; we were always going to have it. We weren't concerned about traffic volumes. I think back to when I was in elementary school, and again, that dates me; I think Canada had a population of about 15 million at that time. People have been busy since then, and it has increased considerably.

We have to do some planning. I drive rural roads, and I see houses growing here and there. I know how expensive those houses are to service, and I know it's tempting for municipalities to sometimes grant every building permit because it brings in tax revenue, but it may not be good planning and it may have a very unfavourable effect to the municipality trying to service those houses. We're also increasingly seeing that there is a high level of discomfort between new rural houses and the traditional farms that operate in the area, and if we're going to do planning for farms as we are doing with the Nutrient Management Act, then we need to look at the entire picture. This particular bill goes a long way in doing that.

I look at the main objectives of Bill 26. Increasing timelines for reviewing specific planning applications: There was a gentleman, now gone, who was a hero to me, and the expression he used most often was, "We need to make haste slowly." Everyone who is going to be affected by a planning decision needs to have the opportunity for input, whether it is to support it, oppose it

or simply make changes. In the busy world we live in, it is not a simple matter to gather all of the information to make a sound decision. If I go back to what I said at the beginning, the decision, once made, is essentially irrevocable. Once a subdivision is built, it is there. I very strongly support this proposal that will allow additional time so that we make the right decision. Very seldom does a decision have to be made immediately. The proponent for a particular parcel, or the opponent, may believe that they need an answer tonight. But we don't need a fast answer, folks; we need the right answer, and this is a step in the right direction.

Eliminate an applicant's right of appeal to the Ontario Municipal Board for alterations to urban settlement areas not supported by municipal councils: One thing I really appreciate about the Dalton McGuinty government is that we don't have enemies in Ontario any more. We're working together. Municipal councils are not better or worse than us; they're partners. The federal government is a partner. Citizens are partners.

Municipalities consist of people who have stood for election, laid out their platform, and I guess we do the same. We bump into people in the grocery store or whatever on a regular basis, and they give us advice. But in many ways the best government is local government. We've got councillors who interact regularly with the community, and they have a strong sense. There's no councillor who wants to make the wrong decision. There's no councillor who enjoys doing something that is bad for the community. It's quite the opposite. This amendment will recognize the knowledge base that exists within municipal councils, and good for it. With the partnership arrangement that we're seeing, we benefit not just from the advice of the individual citizens; we now benefit from the advice of municipalities. The minister has talked about meeting with AMO. There's a great group that can effectively and collectively represent literally hundreds of municipalities' voices to the minister. I compliment him on that. That's a very good move.

Changing the implementation standards so that decisions on planning matters are consistent with provincial policy statements that are issued under the Planning Act: This one begs the question, why did this amendment have to come? Because previously it said that the OMB would have to have "regard to." What does "regard to" mean? "Regard to" says we have to look at it, but we don't have to act on it. This amendment says that what the OMB is doing has to conform to all of the rest of provincial government policy. That's a given. It is intriguing that this government had to make that change, that that was not in the act. Of course there has to be a consistency; otherwise it's just absolutely futile for people to devote energy to changes. Do people want to change in one area if it's countered or ignored by another area in planning? So that's an excellent move in that part.

Providing the province with the authority to confirm, vary or rescind a decision regarding official planning/zoning matters made by the Ontario Municipal Board in cases where a matter of provincial interest may

be adversely affected: I think this recognizes, in a very strong sense, that we believe the OMB will continue to have a role—not the same role as now, and the minister has referred to that—but it also recognizes that in contrast to MPPs, the OMB are appointed members. They've not had to stand for election. It would be difficult to ask anyone on the street in your community, "Who's the OMB member? Who's going to hear this case?" Yet people know their MPP and are very free to share with us their information and their advice. As we knock on doors—and each of us can testify to the number of e-mails and letters we get each day—the public is very comfortable sharing with us what their advice is on an issue, in contrast to the OMB. This returns an element of democracy to a process where the provincial government has the authority to make a decision that reflects what our province wants and what our community wants.

There's also a need for consistency across Ontario. The OMB may make a decision in one area, but we as a Legislature have the opportunity to say, "There's a precedent in this that could adversely affect this area or that area." So the provincial government has granted a role in there of ensuring consistency across the province. I think that's good for us, I think it's good for municipalities and I think it's good for developers.

Nowhere do I read in this any sense that we don't want development. Quite the contrary: Our government strongly supports development, but we want good development, and I believe that the businesses themselves, the developers, want good development. They want to maintain their reputation of providing quality planning in a community that's good to live in and sustainable, and that's not simple.

I talked earlier and joked about wanting to pave the world. One of the issues that faces us and the Minister of the Environment is safe drinking water. People think water comes out of a lake or out of the ground, but where we can have a profound influence as planners is that the water has to get into the ground. I can even recall when I was in engineering where we studied some of the Don Valley area, where well over half—I believe it's close to 60%—of the area that contributes to the Don River is paved. That means that when the water hits the asphalt, it goes bang, down into the Don River and down to the lake. That means it's never cleaned—in fact, quite the opposite of it not being cleaned; that means it picks up the dirt that's on the surface and the oil drippings and so forth from cars.

In Ontario, obviously we need to preserve farmland—that's a given and that's an issue to each of us—and we need to preserve the natural filters. We're seeing our government supporting the Oak Ridges moraine. The beauty of the Oak Ridges moraine is with the gravel deposits. We need to leave large green areas so that when the rain falls on it, it passes through the world's best filter—not the world's best natural filter, but the world's best filter. There is nothing that cleans water better than the gravel deposit for it to run through. Again I praise our government for affecting it there.

## 1600

Good planning says, "If we're going to have a major subdivision there, we need to have clean water to get to them, so we need to protect the ground source. I believe our government is the first one, actually, that has introduced legislation to protect the ground source. We saw in the past, "Here's how we clean up the water when it gets dirty," but for the first time, the Dalton McGuinty government has said, "Let's protect the water so it doesn't get contaminated." And that's relatively cheap. It is "dirt cheap" to protect the groundwater, to use that.

**Interjection:** Unlike Walkerton.

**Mr Parsons:** Yes. Unlike Walkerton, one of the members says. I think that maybe has been a major lesson to the people of Ontario, that you don't put a price on clean water. You simply don't put a price from a health viewpoint, from an insurance viewpoint. If a municipality wants to grow, they want good planning, because no one is going to locate to an area where there's a shortage of water or the water is not something that people dare to drink. I applaud that.

It provides the Minister of Municipal Affairs and Housing with the authority to deal with planning applications currently under review; that is, transition matters. We've changed the rules toward planning, and this will grant the minister the ability to ensure some consistency. I don't believe that just because someone submitted an application two months ago, it should go through even if it's a bad application. I endorse the minister having the right to go back and intervene in ones that are still before the board to ensure that it is in the best interests of the people of Ontario. This isn't what's in the best interests of the Ontario Liberal Party; this isn't what's in the best interests of individual members. This will be in the best interests of the people of Ontario. It is great to see a handle finally put on this matter so that it can be dealt with.

I can think of a number of cases where, quite frankly, the developer simply skipped the municipality and went straight to the OMB. That may sound surprising to some people watching this, that they could do that, but the rules that existed before this said the municipality's voice didn't count and the individual citizen's voice didn't count. I'm not sure what it costs for an application to the OMB, but it's less than \$200.

**Interjection:** It's \$125.

**Mr Parsons:** It's \$125, and they would end-run and allow these unelected officials to make a decision that could very adversely affect a municipality. It was also taking away the local voice of the citizen. It was an attack on democracy when the local councillors lost their opportunity to have input on it.

There was a sense in years past of development at any cost. We now know that bad development that may have saved on planning costs and design costs will cost the community forever into the future.

There are so many things we can do to deal with traffic. We look at communities now—you look at some old European cities with the beautiful winding streets that

go through. That was probably sufficient for horses or pedestrians. But we don't need to be planning for this year or next year; we need to be planning for the future.

As an engineer—and you may know the example—one of the most striking examples from an engineer's viewpoint is the Bloor Street viaduct. When the Bloor Street viaduct was built, no one ever in their wildest dreams imagined a subway existing in Ontario. But the person who designed the bridge said, "Some day there will be a need," and probably they were thinking of a railway at that time, but there would be a need for mass transit in this community. They built a bridge with an empty lower deck along what is now one of the main streets in Toronto, saving the public a considerable amount of money when they built the subway but, even more, telling me what people with vision can accomplish.

**Interjection:** It must have been a Liberal.

**Mr Parsons:** I believe it was a Liberal engineer, actually, who designed that bridge; I'm relatively certain. It's a beautiful design, one of the most—

**Interjection:** You're not that old to remember.

**Mr Parsons:** No. Just for the record, I wasn't born when that bridge was built, but had I been born, I'd certainly have endorsed it at that time. It is an example of what happens when people sit down collectively and look to the future, at what we can do. That's been a wonderful example of it.

My riding has a Mohawks of the Bay of Quinte reserve, and one of their philosophies is that we need to plan for the next seven generations. I think that's wonderful. I think that's an example for the rest of us to strive for, to think about our children and our grandchildren. The legacy we're going to leave to our grandchildren—we don't inherit the land from our parents; we borrow it from our children. We need to leave communities in which they will be allowed to prosper and their children will be allowed to prosper.

This bill allows that. This bill recognizes that the people of Ontario, collectively, are intelligent and want to do the right thing. They are basically good people. I am very pleased to speak to this bill. I think it has the ability for this Legislature to positively influence Ontario for the next hundreds of years.

**Mr Shafiq Qaadri (Etobicoke North):** It's a privilege to speak in support of Bill 26, our Strong Communities (Planning Amendment) Act. This bill encompasses a number of things which I think are very important for the future development of Ontario; as my honourable colleague from Prince Edward-Hastings has said, for preparing the use of our land and our environment with a view to the future, even extending, as he's just quite nobly mentioned, up to seven generations. It's an issue of planning, of using due diligence, accountability, and again with respect to my colleague the engineer from Prince Edward-Hastings, of really striking a balance between those of us who would save the world and those of us who would pave the world.

Ultimately, it's about strengthening communities, really having a big-picture analysis, clarifying rules and

bringing an added level of transparency, essentially offering a level of local control and really respecting municipalities.

How? By really exercising our due diligence for intelligent land and resource use and dealing with urban expansion and development with a view that all the different stakeholders, all the different interests, are safeguarded—not only the ones that are clear and present but the ones that extend on into the indefinite future. Only in this manner will we as a government—as the McGuinty-led government—lay the foundation for prosperity.

Part of this involves respecting the public voice. For example, the idea of increasing decision timelines is a very important one, respected all around by the various municipalities and local communities that are involved. In this manner we are able to maintain the public interest, whether it's the issue of fair adjudication, dealing with gridlock, a strong economy or maintaining our green space environment. Ultimately, for example, the ability to empower the minister to essentially declare a provincial interest, perhaps like an override clause, is something that I think really is a mark of vision in this particular bill.

I would also like to say that this is in great distinction to the previous regime, which was ousted in October 2003. The previous regime's philosophy was quite different. It was the philosophy of disembowelling, or gutting, the Ministry of Agriculture, the Ministry of Natural Resources, the Ministry of Municipal Affairs and the Ministry of the Environment.

It was a matter of shutting down democracy, "creating a crisis," in the noble words of John Snobelen, manufacturing discontent: the omnibus bill, calling out riot police, and selling—essentially putting a big "For Sale" sign on every public asset that you could name, whether it was hydro, hospitals, highways or, ultimately, the use of our environment, which is of course what we're attempting to address here.

Bill 26, our proposed Strong Communities (Planning Amendment) Act, is part of this government's agenda for delivering real and positive change. For example, in the throne speech of November 2003, we spoke about strengthening the foundation for change and laying the foundation for the prosperity of tomorrow. This legislation, if passed, would be one of the very first steps toward delivering on that change in this sector, land use planning, and one that would affect the entire province.

For example, there are a number of issues contained within this particular amendment act. It would open up the planning process. It would allow more time for public scrutiny—the timelines increase that I was referring to earlier. It would boost environmental protection and ultimately better protect the public interest.

Ultimately, what we're attempting to accomplish with this bill is a commitment to managed, intelligent, optimal growth, which ultimately leads to sustainable development and a healthy environment. This will deliver on our commitment that would require the reform of land use planning that has been currently in place.

For example, the Planning Act actually establishes rules for land use planning in this province. It will refer to who the decision-makers are, the avenues for dispute resolution, and more importantly, will also provide for public input.

**1610**

The reforms to the Planning Act, for example, would improve the land use planning system by making the rules clearer and more consistent, ensuring that the process is more accountable and that the public will have a meaningful voice that cannot be just overridden by the current rules that are in place. We intend to give the provincial policy statement in this area more teeth by setting up a new standard for land use planning that is consistent with and kind of overrides the previous phrase that was in place, which was "having regard to," which really seems to be less than lip service, not even word service, but this will hopefully bring the spirit of the law to bear here.

We intend to propose reforms to the Ontario Municipal Board that will be part of our government's commitment to a comprehensive review of the Ontario Municipal Board. One of the very first proposed changes to the Planning Act is being introduced today for our general consideration. One of the things that's important, of course, one of the underlying, I guess you could say, underpinnings of what we're attempting to achieve here, is to build a strong, safe and livable community for all the people who work and live in Ontario.

One of the things that inspires us to do so is that, even in my own riding of Etobicoke North, had various visionaries not been in play and not had their voices listened to, then the current gridlock that we experience, like many ridings, on a day-to-day basis would be even worse. Whether it's a matter of pollution or our slowly eroding green space or the constant encroachment of industry and the pollutants that brings, I can tell you, from my own riding, that this type of legislation and certainly the spirit it embodies is something we very much need to institute and institutionalize broadcast across Ontario.

In particular, as my honourable colleague from Prince Edward-Hastings said, it's in order to prepare for the growth, not only that's clear and present and that we can measure and see today, but it's really the effects that will echo in perpetuity, really for generations. As he quite rightly pointed out, once these types of changes are made, whether it's to land use or gridlock or non-smart growth, those changes are irrevocable. That's why this government recognizes that the cost of doing nothing is too vast for this government, and frankly for the people of Ontario, to bear.

For this reason, I call attention to this bill and why we should all support it. Ultimately it's about planning, accountability, strengthening communities, local control, intelligent land use, intelligent resource use, optimal urban expansion and development, and maintaining the public interest whether it's regarding development, gridlock, the economy or maintaining our green spaces.

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):**  
I want to thank the Speaker and this assembly for the

opportunity to speak on Bill 26, the proposed Strong Communities (Planning Amendment) Act, 2003. I may repeat some of the comments that have been made by Minister Gerretsen in his presentation, and I feel I will do so because they bear repeating.

This is a time for real and positive change in Ontario's communities and our proposed legislation will set the foundation for that change. The proposed Strong Communities (Planning Amendment) Act, 2003, aims to strengthen our municipalities and create healthy and prosperous communities. We are changing, revising and reforming. We are changing the Planning Act, we are revising the implementation standards of the provincial policy statement, which is the government's statement on land use planning priorities, and we are reforming the appeal process to the Ontario Municipal Board.

As you are aware, the Planning Act establishes the rules for land use planning in the province and describes how land uses may be controlled and who may control them. On December 15, 2003, this government took decisive action toward planning reform with the introduction of Bill 26.

Bill 26 includes measures that would give municipalities more time to review and approve development applications; prevent appeals to the OMB of urban expansions that are opposed by municipal governments; require that planning decisions be consistent with the provincial policy statement, a stronger test than the current "having regard to" standard that was in place before our government took over; and give the province the power to confirm, vary and rescind a decision made by the OMB where the matter is of provincial interest and may have an adverse effect on that interest.

There are questions about examples of provincial interest. Provincial interest includes things such as the protection of ecological systems, including natural areas, features and functions; the protection of agricultural resources, a subject that of course is very close to me; the supply, efficient use and conservation of energy and water; the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; the minimization of waste; the orderly development of safe and healthy communities; and the adequate provision of employment opportunities.

The bill proposes to make changes to the Planning Act that will improve the land use planning system by making rules more clear and consistent, ensuring the process is more accountable and transparent and giving the public more of a voice, a stronger voice. The public needs a stronger voice in land use planning. They speak out at public meetings and through the municipal councillors they have elected. They need assurance that when their council says no to urban boundary changes, that decision will be honoured as the will of the people and not simply be overturned by the OMB.

The provincial policy statement is currently being reviewed as part of the required five-year review of the statement under the Planning Act. The purpose is to

determine if the provincial policy statement policies need to be revised based on their ability to address emerging issues that are of provincial interest, including eliminating gridlock, preventing sprawl, preserving green space and agricultural land and protecting the environment. This is to ensure that provincial land use planning policies are promoting well-planned growth that supports a strong economy, strong communities and a healthy environment.

The Ontario Municipal Board is an independent adjudicative tribunal that makes decisions at arm's length from the government and has all the powers of a court of record. The procedures and makeup of the OMB are governed by its own legislation, the Ontario Municipal Board Act, which is administered by the Ministry of the Attorney General.

The majority of matters before the OMB relate to appeals of planning applications under the Planning Act. The OMB derives its jurisdiction from many statutes. In land use planning, its most significant source of jurisdiction is the Planning Act. The act gives the OMB authority to hear appeals and applications dealing with official plans, official plan amendments, zoning bylaws and amendments, plans of subdivision, consents, minor variances and site plans. It also sets the standards of compliance for the board, as it relates to land use planning policy from the provincial perspective. Currently, the OMB and all municipal councils need to "have regard to" the provincial policy statement. Bill 26 sets a higher standard, requiring that the OMB and councils "be consistent with." Bill 26 is only the first part of a comprehensive overhaul of the OMB, one of our government's top priorities.

**1620**

The question has been asked of me, and I'm sure it will be asked of many, "Why not just get rid of the OMB?" I feel that the OMB is key to resolving planning disputes. I feel that the public have a right to an appeal mechanism, and therefore the OMB plays a critical role in planning in this province. But this government is also committed to providing Ontarians with safe, clean, livable communities, and the proposed changes to the land use planning system support that commitment. This would be a positive step for Ontario's communities.

A strong land use planning system would, first, support strong communities by giving people the opportunity to participate in the decision-making that involves their communities; second, enhance sustainable growth through a check on urban sprawl, gridlock and loss of agricultural lands; third, ensure sustainable development by changing the implementation standard to be consistent with provincial policies that the government and the public feel are critical to good planning; and fourth, protect the environment by allowing development only in those areas where it is sustainable.

Ontario's municipalities agree with this move, and they have let us know that they are generally in support of the direction the government is proposing to take. We are hearing from the people who live in Ontario's

communities and they are letting us know their concerns. Ontarians have let us know that they want clean air and water. They want communities that are safe, and cities and towns that work for the people who live in them.

There have been concerns raised by the municipal sector, the general public and the media that local planning autonomy and the integrity of the local planning process have been compromised, where the OMB has issued decisions which overturn decisions of elected councils. Municipalities and other stakeholders have asked that the role of the OMB, as an adjudicator of appeals under the Planning Act, be reviewed.

Environmental groups have concerns about how the proposed planning reforms protect heritage resources and the environment. Development groups have concerns about how the proposed changes will affect the development sector and the economy as a whole. The resource sector has concerns about the proposed "shall be consistent with" standard and how that will affect resource sectors such as agriculture.

We are taking notice of these concerns and we continue our discussions with our stakeholders and the public on how best to address them. The government is interested in hearing the many perspectives and ideas that will help guide us in developing a better land use planning system in Ontario.

Currently, our proposed changes to land use planning address high-priority concerns, but we are not stopping there. There will be further reviews of the Planning Act, and there will be more fundamental reforms proposed to the planning system. These reforms, if passed, will bring in fundamental change to land use planning in Ontario. We are also working on providing our communities with additional tools to help deliver the services that Ontarians expect and provide an environment that is safe, clean and healthy for the people who live and work in our communities.

This government has made real, positive change to the municipal-provincial working relationship, one that values input from all sides and draws support from the people who work at both levels of government. Over the last eight years, Ontario municipalities have faced many challenges: uncontrolled development, unwarranted gridlock, endangered heritage and water resources, loss of green space and unhealthy air. This has clearly had a negative impact on the environment, and it is hurting us economically.

If passed, the Strong Communities (Planning Amendment) Act, 2003, would give Ontarians a real voice in the way our communities grow and prosper and bring back local accountability and transparency to the land use planning process, and ensure that important provincial land use policies are clearly spelled out so that vital provincial interests are protected for the benefit of all Ontarians.

This government recognizes that Ontario's municipalities need a new deal that will restore to them the ability to plan, manage and invest for the future. We are committed to building strong, healthy, livable and safe

communities and providing communities with the tools to develop and sustain them.

Recently my colleague the Minister of Municipal Affairs and Housing met with AMO, the Association of Municipalities of Ontario. As the minister has stated, they are the voice of municipalities. That's who we turn to when we want to know what is happening at the municipal level. They have made recommendations that we feel are valuable to what we want to do. Minister Gerretsen has delivered the message that we will begin a dialogue that will lead to a new partnership between Ontario and AMO.

The memorandum of understanding that is currently being discussed with AMO will be put into legislation and hopefully passed by this assembly. This would, if passed, be an unprecedented step in the relationship we have with our municipal partners. We feel it is important to the common good to have a good working relationship with the municipalities. Gone are the days of adversarial working relationships and I say goodbye to them.

AMO has mentioned that they are encouraged by the direction we are taking with Bill 26. They have also made recommendations on a number of the issues they feel are very important to them. We will be looking at those issues, specifically as they relate to complete applications and the Ontario Municipal Board, among others. These views are welcome and we feel the province will benefit from that.

If passed, our reforms to the planning system would support and be supported by a number of other initiatives, as has been mentioned earlier. These include things such as the Greenbelt Protection Act, which we introduced for second reading on March 30; the growth management strategy under the Ministry of Public Infrastructure Renewal; source water protection and waste management under the Ministry of the Environment; and the Greater Toronto Transportation Authority and other transportation strategies under the Ministry of Transportation. All these actions support our commitment for well-planned, managed growth, leading to safe, clean and livable communities.

As mentioned, the proposed Strong Communities (Planning Amendment) Act, 2003, would be only the first step toward what we feel are fundamental reforms to the planning system. From the feedback we get from our stakeholders, we have identified the need for other changes. We recognize that municipalities and the public may have other concerns regarding the planning system, so as a government we will be consulting with all Ontarians.

We are also looking at enhancing the provincial policy statement, the province's policies on land use planning. This has always been of great concern in the agricultural community, because under the provincial policy statement, the province states that they feel agriculture and the preservation of agricultural lands is very important. Yet in the past municipalities and the OMB have been required just to "have regard to," which meant they gave it a quick glance and then simply proceeded with what

they had planned to do in the first place. By having to be consistent with that policy, we are now protected. When there is a change in the zoning from agriculture to another purpose, there will be legitimate reason for doing so, and it will leave us with sustainability in the agricultural community.

Through the review process, we will ensure there is clear direction for all land use planning decision-makers, including the OMB. We will ensure that policies address concerns that are important to the people of Ontario, such as eliminating gridlock, protection of the environment, protection of green space and agricultural lands, heritage resources, and containing urban sprawl, which is another issue when we speak of the greenbelt protection legislation.

### 1630

The proposed Strong Communities (Planning Amendment) Act of 2003, would, if passed, be key to reforming land use planning in Ontario. We can no longer allow uncontrolled development in Ontario. We need reforms to land use planning that will give our municipalities the tools they need to grow properly and in a smart way, and give our communities the ability to grow strong. The province is taking the first steps toward real change.

It is time for well-managed, planned growth. As mentioned, over the next 30 years, central Ontario is expecting to grow by more than 3.5 million people. If this population trend continues, much of that growth will consume the farmlands where the food that we eat is grown. The government recognizes the costs of doing nothing to prepare for the growth that is coming to central Ontario.

We have to manage this growth in a planned and intelligent way, and the time to act is now. Unchecked urban sprawl cannot be allowed to continue. The people of Ontario want well-planned, responsible, sustainable growth, and the tools to manage growth responsibly. If passed, our reforms to the planning system would support and be supported by a number of other areas. We feel that it is important to the long-term development of this province to enable municipalities and this province to plan properly.

As was said earlier by a colleague of mine, the European continent has long recognized the need to plan properly. We recognize the crowding and the situations that they experience in Europe. They have had to deal with issues such as encroachment on agricultural lands and the proximity of one community to another. That is a beautiful place to visit, yet I have come back. I have visited with my family over there, and my family comes from the Netherlands. I have to say that when I go there and I come back, I am pleased to be back here.

We are a young country. We have great things to offer. We have an opportunity to plan for the eventualities, which they didn't have. We can take our lesson from them.

I would like to share the remainder of my time with the member from Thornhill.

**Mr Mario G. Racco (Thornhill):** I want to just make a few comments on Bill 26. I want to stress how important it is to make sure that proper planning, smart planning, will take place. Bill 26 will certainly allow that to happen.

We know very well that in the past the Tories allowed development to take place all over, without any control whatsoever. What we have today, and I'm sure my Tory friends will agree, are housing developments all over—where there is no public transportation, where there are no proper roads, where there are no proper services—for a simple reason: It's too expensive for anybody to build.

In particular, that is because housing was allowed all over the place. Your administration and new government want to take leadership, giving direction as to where development should take place. This development should reflect the needs of Ontarians.

Ontarians are looking for any type of development, whether that be single homes, townhouses or high density. They want to have a choice, so we must provide a choice.

At the same time, we're able to understand that if we want public transportation, some type of housing must be built; otherwise, we cannot afford it. Otherwise, we cannot afford to clean the roads, we cannot afford to collect the garbage.

We have to make sure that this planning takes into consideration the future costs, and also the need for a community centre. If we tend to build a few hundred homes here and there, where are the community centres going to be built? Where are the homes going to be built? How can we fill a school for 1,200 or 1,300 kids if we don't have the housing close by, whereby our children, as we were speaking about earlier today, don't have to be bused for a long distance? If we build properly and we build from A to Z instead of jumping all over the place, that means the services can be provided sooner and, therefore, the community is better.

Communities are alive only when the planners make them alive. I have had the pleasure of visiting many places and I noted a significant difference between what I see in some parts of Ontario. The way you build a community makes a major difference to how the people in the community interact with each other.

In addition to that, let me make a point about the Ontario Municipal Board. The Ontario Municipal Board needs to be changed, and Bill 26 will do some of it at this point. We need to change because there are many taxpayers out there who are not pleased with how decisions are made at the OMB. Therefore, one of the things we should do is start educating the members so they can do a better job for the people.

**The Acting Speaker (Mr Ted Arnott):** Questions and comments?

**Mr John O'Toole (Durham):** I just wanted to respond to the members from Prince Edward-Hastings, Etobicoke North, Lambton-Kent-Middlesex and, more recently, the member from Thornhill.

I look at Bill 26 and, on the face of it, on the surface of it, it looks somewhat intrusive. The main principle here is

changing the policy statement strength from "have regard to" to "must be consistent with." That seems to me to be intruding on the elected local and regional councillors in getting on with making difficult decisions on land use. I think that's important.

But you know what's even more troubling is when I look at the overall framework of what the Minister of Municipal Affairs is doing. I really think, for the viewer, it's important for them to look at it in the context of Bill 26, which is the Planning Act we're talking about; Bill 27, which is the greenbelt amendment—and actually, the ministerial freezing development; and Bill 49, which is the Minister of the Environment freezing land rights issues. Actually, Bill 60 is another—overall, you can look at it almost like a conspiracy of trying to take over the right of land use: intruding into it and taking it out of the hands of not just the landowner but out of the hands of local government, which knows what's best for them.

I agree fully that there should be a provincial framework for guiding and stewarding the process along so that the public are well served, but you're usurping the power of elected people locally to deal with the issues they need to respond to. But at the end of the day, it is a property rights issue that I see in a broader context, where they're not listening to the people of Ontario who are duly elected to make local decisions. That disappoints me and, Minister, I'm surprised that you, being the former mayor of Kingston, would take that power away from them.

**Mr Peter Kormos (Niagara Centre):** Down where I come from in Niagara region, let me tell you what the problem is. The problem is that we have some of North America's most valuable farmland, most valuable agricultural land: tender fruit land, our vineyards, our peach orchards, our plum orchards, our cherry orchards. There is incredible pressure by developers to expand on to this very valuable and scarce agricultural land. I tell you, there's a strong movement advocating the preservation of agricultural land—indeed the well-known PALS, the Preservation of Agricultural Land Society.

The reality is that unless this government does something effective and meaningful for farmers, you can't expect the farmers—the second, third and fourth generation of owners of this valuable agricultural land—to subsidize out of their savings, out of their hard-earned incomes, its maintenance when, quite frankly, as you know, Ontarians and Canadians pay less for food than literally anybody anywhere else in the world. Our farmers need support if they are going to continue to play the role of stewards of this exceptional and scarce agricultural land. What we need from this government, and we need it rapidly—we certainly didn't see it from the Conservatives, and I'm not holding my breath from these guys.

1640

We learned about the relationship between the Cortellucci family and the Liberals just a couple of hours ago. It looks like the Cortellucci corporations have two back pockets: Tories in one, Liberals in the other. There's

room in that bed. It's a king-size bed. There's room in that bed for a ménage à trois. The Cortelluccis are indifferent whether it's a Tory or a Liberal; they'll buy either one when it comes to developers' interests.

**Mr Lou Rinaldi (Northumberland):** It gives me pleasure to comment on this bill.

I'm still somewhat reluctant to remove my municipal hat, even after being here for seven months. Being in the municipal sector as a politician for some 12 years, I know the difficulties we had in dealing with municipal planning, especially, I believe, in rural Ontario, where there are a lot smaller municipalities with a lot less resources, and they fall under the hammer of heavy development with very little control. I think we've heard from previous speakers that developers, with very little effort, were able to overrule municipal decisions.

I can relate to you, having travelled the province for the last couple of months under the ministry I'm associated with—the Ministry of Public Infrastructure Renewal—that we have a lot of municipal leaders coming together to deal with infrastructure. I hear over and over that they expect the province to be a leader in whatever we do, to set out some type of framework they can work under that is brought across the province.

I believe this is only the beginning of the right thing to do. It's going to provide those municipalities with a framework they can work with, and I think the important thing this bill provides is a consultation that puts us, as my neighbour from Prince Edward-Hastings said to me, on an equal footing, where we will not be heavy-handed provincial politicians who put down the hammer, but we're their friends and cohorts and we're looking after the interests of the same people they are.

I have to congratulate the minister for coming forward with this bill. We need to move forward.

**Mr Garfield Dunlop (Simcoe North):** I really hope that when we do our leadoff, the same kind of courtesy will be afforded to us that we have just given to the lead-off speakers for the Liberals. There are a lot of important points that have to be brought out, and we don't need to be heckled and screamed at by the Liberal backbenchers and ministers. We understand that's coming up, and I can see we're going to get under your skin just by the fact that we're going to bring up some issues. You're already heckling me, and I'm in a bloody statement.

The fact of the matter is, this new minister must like punishment. You have basically removed the OMB with this piece of legislation. Every development question is either going to end up on his plate or in this House; there is no question about that. You will be answering questions, time and time again, that were normally answered by the OMB.

I know that for some reason everyone in this building, and everyone in the Liberal caucus, must hate the OMB. I don't know what you have against the OMB. Obviously, there are decisions they make that aren't happy ones, but I think the OMB has served the province very well over the last—I guess it has been in place for almost 100 years, if I'm not misinformed on that. I think they have

done an excellent job, and certainly there is always going to be controversy. But now we know the minister can overrule the OMB.

We'll get into pork-barrelling and all that sort of thing later in our comments, because there's no question that that will enter the discussion. Just when does the minister turn down the OMB or overrule the OMB? I think it's going to get very political at that point.

We look forward to our leadoff speaker, Mr Hudak, who has a lot of really good points, and we'll not be heckled by this House. We'll have complete silence here as he addresses the House.

**The Acting Speaker:** The Minister of Municipal Affairs and Housing, you have two minutes to reply.

**Hon Mr Gerretsen:** I appreciate the comments that were made on all sides of the House. Let me just say that I look forward to a strong debate. Hopefully, this bill will be passed and then it will go to committee, where amendments can be made and where suggestions can be made by all those people who have something to say about it, whether they're from the development industry, the environmental industry, the municipalities etc.

We need that kind of a debate, because there are some fundamental changes to the way we want to do planning in the province. What we're basically saying as far as planning is concerned is that it should be up to local councils to determine what the urban boundaries within their municipalities should be. That is the fundamental change that is being made in the Planning Act, because that isn't the way it is right now. Right now, a developer can in effect say, "We want your urban boundaries to be larger than they are," and take that matter to the Ontario Municipal Board. Then the OMB can decide how far those urban boundaries should stretch in that municipality. We believe that it should be the decision of the locally elected council.

Should there be OMB reform? No question about it. The Ontario Municipal Board should be reformed. We should be looking at a whole wide range of issues: how long they're appointed for, what kinds of decisions they should be making and on what basis. Should they be what we call *de novo* hearings—new hearings—or should the rulings be strictly based on the evidence that was presented before the councils? We can go on and on. There are a whole series of things that there should be a full and open discussion about in this province. I look forward to that debate.

It's passing strange that this Bill 26 talks about good planning and a strong economy. Do you remember the Bill 26 that government came up with, the infamous omnibus bill that basically took away the rights of municipalities? We're giving it back to the local councils in this bill.

**The Acting Speaker:** Further debate? Member for Erie-Lincoln.

*Applause.*

**Mr Hudak:** Wow. Well, this side. Thank you very much.

*Interjection.*

**Mr Hudak:** There's a new spirit of co-operation in the chamber—at least on Tuesday evening. We'll see how it goes for Wednesday.

I'm very pleased to respond today on behalf of the official opposition, the Conservative caucus. I may, depending on how things transpire, if you could give me flexibility here, be sharing my time with the member for Simcoe North, but I may not.

**Mr Rinaldi:** Don't you trust him?

**Mr Hudak:** I trust him. The member for Simcoe North brings so much to the table, given his experience here in the Legislature but also—maybe I broke a rule here—his experience there on county council. Limiting him in debate would be a real shame; in fact, I think we should give the member for Simcoe North the maximum time available, and at that appropriate time I would probably move unanimous consent to let him speak for as long as he wants to. We'll cross that bridge when we come to it.

**Mr O'Toole:** What about the member for Durham?

**Mr Hudak:** I think the member from Durham has already taken up a considerable amount of debate in the Legislature, let alone in caucus.

I'm also pleased to be here making comments on behalf of the member for York North. The member for York North, Julia Munro, our critic in this area, has done a tremendous amount of homework on this particular issue, as well as on Bill 27. She gave an outstanding response on behalf of the opposition on Bill 27. For good reason, due to health, she's unable to be here for the official response, but I know she'll look forward to the debate and hopefully the committee hearings around Bill 26. I think that will be very important.

They are a bit like companion bills. I think I'll speak a little bit about where Bills 26 and 27 came from, if we remember a few months back, the situation that caused them to be born into this Legislature. But I understand the House leaders are now negotiating to send Bill 27 out to committee.

I sincerely hope—I'll say this to the minister, because I know the minister is interested in this as well—that we will be able to work out a chance to have a public hearing on Bill 27 in the Niagara region. I know that there was talk about York region, but I think, very importantly, for the Niagara region, because it is impacted so dramatically. Probably on a proportional basis—

**Hon Mr Gerretsen:** —negotiated that three days ago.

1650

**Mr Hudak:** He has. There are other groups at that table that have had a difference of opinion. I'm saying to you, as a minister who wields such considerable influence on the government benches and at the cabinet table, that I think the people of Niagara would benefit greatly from an opportunity to provide direct input to Bill 27 as it goes out to public hearings, considering the dramatic impact this could have on farmers in the Niagara region, on municipalities like the towns of Lincoln, Grimsby and Niagara-on-the-Lake, to name but three, and Pelham—my friend from Niagara Centre represents the Pelham

area. All are impacted, and to presume for them to travel from Niagara, when they are so dramatically impacted, to another part of the province is a great presumption to make. I certainly hope that common sense will prevail and that we will have a considerable amount of committee time on Bill 27 dedicated to the folks from Niagara.

Back to Bill 26, the companion piece—it would be great to have Bill 26 hearings in the peninsula as well. It is certainly always very well received when committees travel outside the city of Toronto to get input on a piece of legislation. The member from Wellington has always been a strong proponent of getting committees out of Toronto to the communities.

Basically, I'm going to describe four specific areas in Bill 26 that I have great concern about and that I would expect my constituents and the municipalities that comprise the riding of Erie-Lincoln will have concern about. One that has been discussed already in the Legislature is the changing of the language to "be consistent with," as opposed to "have regard to." In some changes we brought in as Conservatives, I supported at that time and continue to support the use of the term "have regard to" with respect to the implementation of provincial policy statements in local planning decisions.

Second, I think I'm going to dedicate a considerable amount of time to what I see as the dangers of the declaration of provincial interest in pulling back hearings to cabinet, to the Lieutenant Governor in Council, the executive. I think that is extremely problematic for a series of reasons that I will explain a bit later, not only from my own experience but just as a matter of process, from taking local planning decisions and bringing them up to what is already a very packed cabinet agenda.

The third area I would like to speak about is the extended municipal review periods that are part of Bill 26 and the impacts they may have.

The fourth main point on Bill 26 is retroactivity: the powers that are given to the minister to retroactively administer zoning changes that are already in the stream. Combined with Bill 27, this has a very powerful and, I think, unintended consequence by the government to retroactively take away property rights, to retroactively change the rules that existed when councils, based on those rules, approved particular projects. I think that, combined with what has become an unfortunate habit, or maybe a tendency of this government, if you look at the Adams mine legislation as another piece, to impose retroactive changes to, I guess, abrogate the rule of law and change laws retroactively, is a very dangerous thing to do, and if you use it at all, to be used in very extenuating circumstances. Not to put a pun on it, I think it's being used too liberally in this Legislature.

I think you can't really talk about Bill 26 without also speaking about the impact of Bill 27. I think the two, in combination, are going to have a significant detrimental impact on growth in Ontario, in job creation, in building new homes and in helping people achieve what I always think of as the Canadian dream of owning their own

home, having their own backyard, their own garden, their own freedom, their own sense of peace and quiet to their affordability. I worry about the significant government planning that is coming down that I think is going to take away that opportunity for the Canadian dream among a considerable number of taxpayers in Ontario.

I know there are other things that are important to good planning as well: their transportation plan, their infrastructure plan and the PPS itself. These items, I guess, are in various stages of consultation or commitment to consultation, but there is an important issue about the cart being well ahead of the horse; in fact, it's out of eyesight of the horse in many of these areas. I do worry that we're being asked to place a great deal of faith in the minister's or cabinet's decision-making without these other important priorities already being in place.

**Hon David Caplan (Minister of Public Infrastructure Renewal):** I trust the minister.

**Mr Hudak:** The member says, "I trust the minister," but the minister is not always going to be the minister, and I don't know if you would say that about every minister who has ever existed in the Ministry of Municipal Affairs or those who will be there down the road. You may trust the minister to make the right decision in every circumstance, but the minister's time is going to be pretty much in demand, and whether he has the opportunity to review every decision and make the right recommendation to cabinet is going to be a question.

**Hon Mr Caplan:** He's just and capable.

**Mr Hudak:** He may very well be, but this legislation not only changes the way we do things on planning in the province of Ontario today, but it does—

**Hon Mr Gerretsen:** We're putting it back the way it was before.

**Mr Hudak:** You're right. I should talk about back to the future. It's Peterson déjà vu all over again in many ways here in the Ontario Legislature. I agree with the Minister of Municipal Affairs that we are going back to sort of the Peterson-Rae days in many respects. I don't think that's a good thing. I do not have fond remembrances of progress in Ontario under the Peterson-Rae days. We have seen that already embodied in the significant attack on people's pocketbooks in the province. I was listening to my colleague from Whitby-Ajax who talked about the \$4.1-billion tax increase, which is the largest tax increase in the history of the province and made Bob Rae and David Peterson look like veritable amateurs.

*Interjection.*

**Mr Hudak:** But it did. You would acknowledge that made Peterson and Rae look like veritable amateurs in terms of taking money out of people's and businesses' pocketbooks.

Anyway, I think I'm getting slightly off topic with respect to the Peterson-Rae days. They are right in terms of we're going backwards in a number of areas. They may say that's progress, going backwards, but the pendulum definitely is swinging back to the way planning decisions were made in the Peterson-Rae era.

Members will probably recall that when the Mike Harris government was elected in 1995, development, housing growth and job creation in the province had pretty well dried up.

**Mr Dunlop:** Dead.

**Mr Hudak:** There wasn't much going on. It was, if not dead, well on the way to being there.

**Mr Dunlop:** There was a net loss of 50,000 jobs in the last year of the Rae government.

**Mr Hudak:** The net loss of jobs was one thing; the slowdown in housing construction, the lack of jobs in that industry. In response to that, our government campaigned on a program to spur job creation, to spur programs to encourage housing development, to allow people to own their own homes, to help achieve that Canadian dream. The land transfer tax rebate, I think up to a value of \$2,000, was just one of those initiatives, as well as changes in the Planning Act.

*Interjection.*

**Mr Hudak:** Sure, and this may be an interesting thing. This could be an issue of déjà vu all over again if you guys do bring that back, the old Peterson program, and maybe they'll expand it.

It's an important part of the debate and we'll see in the budget what kind of encouragement the McGuinty Liberal government is going to do for individual home ownership in the province. To date, I've seen it working quite the opposite. Maybe they'll bring back that old Peterson program, dust it off and maybe expand the dollar value for that program. Maybe they'll raise the limits to which benefits will apply.

I certainly hope the land transfer tax program, the rebate, continues, because I think that was a boon for young families trying to buy their own homes so that they had more space and liveability, so they could achieve that important status in our community.

We have gone backwards in a couple of areas. We'll have the debate on legislation in committee, whether that's a good thing or a bad thing, but I think we will all recognize that the Harris government was elected under a mandate to encourage greater home development in Ontario. We made a number of changes to do just that, one of which was to bring in the language "have regard to," over the existing Bill 163, the NDP legislation, which had brought in the same language, "be consistent with." We're actually, in this legislation, adopting the old NDP policy introduced in 1995, "be consistent with."

*Interjections.*

**Mr Hudak:** We'll have the debate whether that was the right way to do things. Certainly at that particular time when the pendulum was well over here, what it did was it helped to stifle growth, together with the guidelines for the PPS that were like a big Toronto phone book—remember the old ones when they had the white pages and the yellow pages together?—like this.

Municipalities were expected to be consistent not only with the PPS, but the guidelines: it was a nightmare wading through that kind of documentation to "be consistent with," which caused I think a lot of development

not to happen, not to occur. As the member from Simcoe North said, it was a dead industry in the early and mid 1990s. At least the NDP, when they brought forward "be consistent with" in Bill 163 had the provincial policy statement there for public view. Municipalities knew what they were. As well, the encyclopedic guidelines were at least there. If municipalities had to adapt to that language "be consistent with," they knew what they were being consistent with.

**1700**

The problem we have today in Ontario, and a great concern that we as members of the official opposition have, is that we don't know what the McGuinty provincial policy statement is going to look like. The previous government began a process in 2001 of consulting and updating the PPS. Granted, that has taken some time; it's still not complete. I don't know, but have you guys moved that rock up the mountain any more since? The minister nods yes. Well, good. I would ask then, in return—

**Interjection:** A little bit.

**Mr Hudak:** A little bit. OK, but I would ask, in return, before we vote on second reading preferably, or third reading, will the PPS be available for public comment, for the Legislature to comment on before we agree on or vote on the shift of language from "with regard to" to "be consistent with"? Are those things going to be here or are we on a wing and a prayer, acquiescing in something that's not even before the Legislature or the general public? At least the NDP was a lot more transparent in bringing about that policy change under 163 because municipalities knew what they were dealing with.

Now we have the worst of both worlds. We're proposing to go back to old Bob Rae language without having the guidelines, if there are going to be guidelines, or the PPS in place.

**Mr Dunlop:** Get your wallet out, buddy.

**Mr Hudak:** Whether it's an issue of getting your wallet out and paying more in taxes and fees or higher home prices—I think you can make that argument. If you limit supply and if demand continues to grow in the province, you will see a price spike in homes. We're already seeing that as a result of Bills 26 and 27 on vacant lots, and I would expect on housing prices as well. I think what it will do is contribute to the decline of housing starts in the GTA, if not in the province as a whole, but definitely in the GTA.

The pendulum was at a significant distance when the Mike Harris government, which I was very proud to be part of, came into office to swing it back toward encouraging more development and more home ownership. The McGuinty government was elected—I'll grant them this—with a mandate to try to bring that pendulum back. They'll argue they have now balanced it, but the point I brought up particularly is that in going to the old NDP language, they've swung it back to the era of Bob Rae and I think that is going to be very damaging.

If they wanted to find ways to control development, I think we would all support that. As part of our Smart

Growth initiative we had talked about that and moved that process along. But I have great concern that as a result of 26 and 27 combined, along with some other legislation and the themes in that legislation, we're going to see the brakes slammed on development altogether, not that the government deems it a good area to have development or not, but I think altogether, as a result.

I have a good quote to read here. The Ontario Professional Planners Institute, the OPPI, said with respect to the PPS, "While the PPS may not garner as much attention as some of the other initiatives the government has unveiled lately, it is the tool that makes everything else work." It is asking a lot to vote on and pass this legislation without knowing what the PPS is going to look like. I understand they've moved it along. I certainly hope it comes a lot farther along in a short period of time because the PPS is the instrument that instructs good local planning.

Another problem with the language "be consistent with" is that often there are going to be competing uses for land. There isn't a single way to approve a planning approach; there are ways of doing so. The PPS will deal with things like economic variables, social variables and environmental variables, and on occasion they will be in competition. For example, if you're looking at an aggregate project in Ontario, you may have a policy statement that would discourage that on the environmental side. You may have another on the resource development and job creation side that will encourage it. You will have two competing policy statements. How, if you want to respond to this, can you be consistent with two competing policy statements that may contradict themselves in, I think, several imaginable circumstances? Often, you will find that the development side would be in conflict with the environmental side on resource issues, for example. Municipal flexibility in responding to local priorities and responding to local circumstances, in perhaps finding a way to mesh environmental preservation with the development policy, is better encouraged by the language "have regard to" as opposed to "be consistent with." I think that may be an impossible task, made even more impossible—if that's possible—made even more difficult to complete, if these guidelines come along that are extremely thick and unworkable, like had existed in the previous area that had swung the pendulum against any kind of housing development whatsoever.

I do have great concern about that change in language, particularly without the PPS there. One option they may have, I would suggest, is that they maintain the existing language, "have regard to." One option if they choose not to is, why don't you prioritize the PPS? If they're in competition between resource development, environmental, social benefits, then perhaps an indication from the province on prioritizing which of those, under whatever circumstances, takes priority could help municipalities and guide them through this process. Failing that, I think, inevitably you'll have significant conflicts at a municipal level trying to be consistent with competing policy statements.

As part of that, while the theme of the bill and the minister's comments and the preamble had talked about empowering municipalities, I think a strong argument can be made that in many areas of the bill it does the opposite, one example of which is the change of language from "regard to" "consistent with." In fact, I think it binds any reports that come forward before council to be inconsistent with the PPS. Even comments that councillors made, I believe, if I read the legislation correctly, would be bound by this new policy development. Restricting the flexibility of municipalities under local circumstances to adhere to, to have regard to, the provincial policy statements, if you go with the "consistent with" language, is going to bind debate and limit municipalities' flexibility.

The second area I wanted to address is the ability of the minister to declare a provincial interest in an official plan or a zoning bylaw amendment that is going before the Ontario Municipal Board. I spoke just a few moments ago about a significant concern that, while this may be dressed up as being pro-municipality and restoring municipal autonomy, this is quite the opposite. It is not even close to hitting those themes expressed in the preamble of the minister's comments. I see this as being highly problematic. In fact, we got out of that business. This is the Peterson-Rae déjà vu all over again in terms of encouraging appeals on zoning and bylaw decisions to the provincial cabinet.

Under this legislation, if passed, if the minister declared a provincial interest, the decision by the OMB would have to be reviewed and the decision would have to be confirmed, varied or rescinded by the Lieutenant Governor in Council. So any time that there is a declaration of provincial interest, it would have to go before the provincial cabinet. That issue aside—I'll get to that momentarily—there are no restrictions, no definitions and no guidelines in the legislation, or that I have heard from the minister in the Legislature, that would indicate to municipalities or project proponents or taxpayers, citizens who may have an interest in a project—there is no description whatsoever of when it is appropriate or not appropriate for the minister to declare a provincial interest. It is not narrow; it is wide open, a chasm that works against municipal autonomy. I know that when it comes close to municipal elections or provincial elections, there is going to be huge pressure on individual politicians, be they municipal or provincial, by either side, if they feel like they are losing, for the province to declare a provincial interest so they can go to another court of appeal. I think that opening up the Legislature and the cabinet to that kind of local political pressure is dangerous. It is not good land use policy, and it's not going to be good politics either.

1710

A detail here that I think is important to speak a bit more about as well is that the minister can make this declaration of provincial interest up to within 30 days of the hearing before the OMB. So it may be working its way through the municipal process, they may have

reached a decision, it may be appealed to the OMB, but as it works its way up through the municipal process, the minister does not have to declare a provincial interest whatsoever. He doesn't even have to nod in that direction—a cautionary letter. It does not even mandate a meeting with the municipalities to discuss what may be the provincial interest in this area. In fact, I think AMO, in their submission on this document to date and other municipalities—I think York region as another—give a very strong suggestion that a meeting with municipalities must be mandated to occur before a provincial interest is declared so that, ideally, the minister and the municipality can sort out what the provincial interest may be before they have to go through all of the hearings and to the OMB with only a 30-day notice. There's very strong concern about that.

I think this section should be eliminated altogether with respect to the declaration of provincial interest in the official plan and zoning bylaw. I just think it's a very dangerous precedent. In fact, my understanding is this was removed from the Planning Act as far back as 1983. So we're actually going back before the Peterson days in these circumstances.

Let me describe a little bit what I fear is going to happen in these circumstances. I fear that you'll be removing the decision-making process from the level that it's actually occurring at, in favour of bringing it to cabinet. A municipality may be weighing the cost benefits of a particular proposal—the job creation, the burden it's going to place on infrastructure, the response of neighbours and others in the municipality, those that are seeking jobs. They'll put that into context. They'll weigh the revenue that would come in as a result and the weight of the impact on existing neighbourhoods. They'll go through that cost-benefit analysis, they'll look at the provincial policy statements, and they'll make a decision based on the cost benefit.

This then, if there's enough political pressure brought to bear, removes that local decision-making, removes that cost-benefit analysis, and brings it to another level altogether, where you don't have that degree of attachment to the local cost and the local benefits. In fact, it will then become part of the sphere of province-wide issues. The politics will be, if the government of the day is feeling like it has particularly offended the environmental movement, the green vote is trying to appeal to them—I would argue that, sad but true, the decision would tend to be prejudiced toward that direction. The local decision, which will have nothing to do with province-wide relationships between the government and the stakeholder group, nonetheless, I fear, will be prejudiced and won't be based on the local facts but will be based on larger, province-wide figures, particularly when you get close to an election time.

On the other hand, if a government feels like it is vulnerable on the development side, it has not done enough to encourage home ownership, for example, or the economy is slowing down, the cabinet or the minister of that day may be prejudiced to rule in favour of that

side, that larger picture, without taking into account the local benefits or costs of a decision.

There also may be tradeoffs. There might be an example, say, by way of argument, that happened in Simcoe county where the cabinet made their decision and ruled in favour of the development proponent. Then the next day or at the next cabinet meeting a project came forward from Leeds-Grenville. There may be a prejudice there that would influence a decision to say, "Well, last week we gave it to this team. This week, we've got to give it to the other side so we keep this in balance in terms of how we make decisions."

Now, that's not going to happen in every circumstance—obviously not—and we'd expect that fulsome reviews and good advice would be given to cabinet ministers at the time. That having been said, I do believe that on occasion this prejudicial result will occur, which I think is risky. It's damaging, it gets us away from the rule of law, and it creates a huge vulnerability for individual members, particularly as you get close to an election. That's the role that cabinet will have to work in that sort of framework.

The local member himself or herself will be under great pressure by whoever is on the losing end, or seemingly losing end, of an OMB decision to then put pressure on the cabinet ministers to declare a provincial interest and to try to have a sort of court of second chance. The local member, torn between both sides, will be under pressure nonetheless by the potentially losing side to have the minister declare a provincial interest and take it into the cabinet ambit.

A big problem with that too is the time frames. Cabinet has not always been known to be the most efficient decision-making mechanism that exists today. Government is, what, 25% about making decisions and 75% about process? A lot of process. You're in consultations or process and you're bragging about how much consultation you're doing. So cabinet is not exactly going to be making prompt decisions on these appeals based on provincial interest. In my reading of this legislation, and I'll be corrected by members opposite if I'm wrong, there are no time frames in this legislation that would prompt cabinet to make a decision at any particular time. There may be a valid project or there may be a valid objection to a project in a municipality across the province—Elmira, by example—but if the government were sensitive about a particular issue, if they were heading into an election campaign, they could delay inevitably that particular project by putting it on the cabinet agenda and just not making a decision. Nothing compels cabinet to make that decision at any particular time. So funds are tied up for the potential development, taxpayers are anxious to know what the decision is, municipalities will have to make the resulting investment in infrastructure and plan for that, but this decision still could be caught up in that limbo of cabinet for Lord knows how long.

The Niagara Escarpment Commission, I think, is an example, where appeals can be to cabinet or the minister

can bring recommendations to cabinet on the NEC. While we began a process of the five-year review plan for the Niagara Escarpment some time ago, we still did not get through that; that had not been completed by the previous government. I know ministers had tried to do so, but larger, big-P politics issues, I think, caused that to be delayed and we still have not updated the Niagara Escarpment plan. As a result, there are a number of projects along the escarpment—by way of example, some wineries that want to have perhaps a chance to sell some food along with their product; they want to have more hospitality at a site—that have not had any signal whatsoever from the Niagara Escarpment Commission on whether they can go ahead with their projects. Some have been waiting for several years because cabinet has yet to decide on the five-year review of the Niagara Escarpment plan.

If you basically reflect that process now with local zoning and bylaw changes, it would be a nightmare. It would be an absolute nightmare to try to get quick decisions, to try to get decisions based on local costs and benefits. It would all be borne out in political decision-making. I would ask the minister, I would implore the minister, to take out this section and have—

**Mr Kormos:** Exhort the minister.

**Mr Hudak:** Export the minister?

**Mr Kormos:** Exhort.

**Mr Hudak:** I would exhort the minister. I appreciate the member for Niagara Centre's—I would encourage, I would exhort, I would plead with the minister to get out of this local decision-making and recognize the great risks that this legislation will provide. It may not be this minister, it may be another one that's tempted more, maybe another caucus that would do so.

This is a section that is ripe for abuse, I think, that would be nightmarish. The Scream, as the member from Niagara Centre—was it Munch, the painter of The Scream, the portrait of the guy who's screaming like this?

*Interjection.*

**Mr Hudak:** See, that's why I should prepare my speeches with a bit more detail. But the guy in The Scream will look positively sanguine compared to a proponent that would have to go through this process, so it was worth the workup. It's true.

**Mr Kormos:** Somebody has been to the art gallery.

**Mr Hudak:** Well, as culture minister, you had a chance to do that in the good old days. In the good old days when I sat close to where the member from Don Valley East is sitting, I had the chance to serve as Minister of Culture, and sometimes it still comes back in the speeches.

But he'll look positively sanguine compared to people who have to go through this nightmarish process of having local decision-making when putting a granny flat on your house along the Niagara Escarpment, this inane enforcement of rules. But can you imagine cabinet having to take the time to decide about putting a granny flat on to a home or if a local farmer can have his retire-

ment lot? If a provincial interest is declared, cabinet would be making the decision about this poor farmer in Vineland, trying to decide if he gets a retirement lot, when I would argue it's best left at the local level to make that kind of decision on local circumstances. I don't think members from across the province of Ontario sitting around the cabinet table are going to have the time to make the right decision or are going to consistently make the right decision about issues like that.

1720

So I strongly encourage, exhort etc—I think I said it before—that this section be taken out of this legislation. I think members who are there at cabinet, and others as well, will see the ministers bring in these thick binders as they go to cabinet or cabinet committee. Even though cabinet may meet for three or four hours—on occasion, even longer because there may be a significant agenda of new legislation coming forward, new regulations or just general political discussions—I don't think that cabinet is going to have the time to thoroughly consider these types of local zoning or planning decisions, given the thickness of the cabinet binders that I used to wield around and I see across the way. Those binders look awfully familiar. I see how thick they are. You're telling me that cabinet is going to set aside decisions on legislation—on issues like Bill 8, for example, before the Legislature, with some controversy in that, or the Adams mine legislation, which I'm sure has consumed some debate at cabinet—to talk about a retirement lot on a farm in Vineland?

What is going to happen, if the big-P politics don't play a part in terms of balancing the green and the development interests, and getting away from the local decision-making, all you're going to see in the rest of the circumstances is a simple rubber-stamping by cabinet of whatever the bureaucrats at the Ministry of Municipal Affairs bring forward. It will be somewhere in the 500-page cabinet binder, one little page that is going to affect the livelihood of local taxpayers, written by a bureaucrat in the Ministry of Municipal Affairs. There will be little consideration on most occasions, and cabinet is going to be the one making these decisions? It makes Munch's *The Scream* look sane. It does. It is a wrong part of the legislation. It is misguided, it is dangerous, and it absolutely runs against the way the minister describes this legislation in the preamble, with a major expansion in provincial powers into the municipal realm.

**Mr Robert W. Runciman (Leeds-Grenville):** The minister has probably never read it.

**Mr Hudak:** The member says the minister has not read it. I'll give the minister the benefit of the doubt. But I do think, to that point, that Bills 26 and 27 were rushed into this Legislature, Mr Speaker. You remember the time frame. I think you weren't there—you were here—when Premier McGuinty did the double-gainer flip-flop on the Oak Ridges moraine. He had won the election and was feeling pretty good about himself, and he said, "We're not allowing a single house"—not a single house, not even a doghouse—"on the Oak Ridges moraine." He was asked repeatedly, and he drew a line in the sand:

"We will not cross that line." Well, within a couple of weeks, that line was moved way back here with, what, 5,900 homes, 5,900 individual broken promises with respect to the Oak Ridges moraine. So in a bit of a panic, I would expect—

**Mr Richard Patten (Ottawa Centre):** Bad advice. We got bad advice.

**Mr Hudak:** Well, if you got bad advice or what have you—whatever you think of the advice, I think in response to the breaking of that major campaign promise, which was colouring the Premier as a promise-breaker, the Premier's office huddled around and said, "We've got to get something out there right away to try to shore up that support"; hence Bills 26 and 27 ushered into the Legislature in a great hurry to try to turn the page.

So I will give the Minister of Municipal Affairs the doubt to the extent that now, I think, several months later, the consultations in a number of areas are happening. I'm happy Bill 27 is going to hearings. I hope they do a hearing, and they should do a hearing, in Niagara. Bill 26, I understand from the debate tonight, will be going to public hearings.

**Hon Mr Caplan:** We like to listen.

**Mr Hudak:** He says, "We like to listen," but I don't think you were listening on 26 and 27. I think a lot of the people in the industry were taken completely off guard.

**Hon Mr Caplan:** It was in our campaign platform. There's no way they'd find that off guard.

**Mr Hudak:** I don't know if I want to get into a debate on what was in your campaign platform and what you actually do.

**Hon Mr Caplan:** It was there, in black and white.

**Mr Hudak:** If people had some doubts about your campaign platform, I think it is with good cause.

I don't believe there was much consultation done or heads-up given before these two pieces of legislation were brought forward. I think Premier McGuinty's office got in a little cabal and said, "We've got to get these things out." They brought in 26 and 27, and now we're trying to consult. Hopefully, we'll climb down some of the egregious impacts on local decision-making that are contained in this legislation, the egregious impacts on individual property rights.

Granted, if they were elected on a platform to swing the pendulum back a bit on the growth side, they've overshot the mark and taken us back to the Peterson-Rae years. I would argue that in several years' time we're going to see a significant slowdown in the industry, we're going to see housing affordability decline and we're going to see fewer people have an opportunity to purchase their own home. They may choose to remedy that by getting into the business again—I think they've spoken already of building their own affordable housing. I think ideally you try to find ways to have that provided by the private sector. Certainly what I see in 26 and 27 does not give me much hope that will actually occur, and as a result I expect the McGuinty government to get into building government, or government-financed, housing in a major way.

Another piece of the legislation is prohibiting appeals to the OMB of official plan amendments—did I finish that off? I think I described that one pretty well. The notion of appeals does offend me.

*Interjection.*

**Mr Hudak:** No. I just want to know if I've discussed that in its entirety, because I do find that highly—

**Mr Qaadri:** It's binder envy.

**Mr Hudak:** I know. I'm reduced now to having to write things like this in blue pen rather than having people write speeches for me.

*Interjections.*

**Mr Hudak:** No. Some of those writers behind the speeches we hear opposite sound awfully the same as some writers who were there a year or so ago. They may have changed some language and the print from blue to red, but I suspect some of those writers whose speeches we now hear read in the Legislature by the government side have, in fact, not changed.

I think I have discussed enough the significant dangers I see with the declaration of provincial interest.

Prohibiting appeals to the OMB of official plan amendments or zoning applications with respect to expansions of urban boundaries: I'll give the government some due here; they have talked consistently in their legislation about drawing lines and keeping projects within urban planning boundaries. Bill 27, the companion bill to Bill 26, is problematic in some respects. For example, some of the definitions of "use" that could happen outside urban boundaries in rural areas are far too restrictive. A lot of businesses that currently exist in rural Ontario, at least as I see rural Ontario, in Smithville, for example, or in Wellandport, where I reside—if Bill 27 definitions don't change, a lot of those uses would be restricted to making, in many senses, a virtual dead zone in parts of rural Ontario affected by Bill 27, combined with Bill 26. So I certainly hope we see in Bill 27 some changes in the definition of what is appropriate rural use. Maybe they could describe what's not allowed in rural Ontario rather than in the very limited way they have done it to date. But that's a side issue I could return to in committee or in Bill 27 debate.

Basically, what they've said in the section of which I speak is that it's a bit of a one-way street. If a municipality says they're not going to approve a project outside the urban boundary, that's unappealable. However, if they decide they need more land and a project is approved outside the urban boundary, that is appealable. It doesn't work both ways, but I won't dwell on that, as that part of the legislation is not as dangerous as the others I've discussed: "consistent with" as opposed to "regard to" and the declaration of provincial interest in zoning bylaw amendments.

The extension of the review periods from 90 to 180 days for official plan amendment for subdivision applications and from 90 to 120 days for zoning bylaw applications: Again, we're going back to pre-Harris timeline. I know members opposite will say that's a good thing. They'll say we're going back to the rules that existed

under the Bob Rae government. I'm a bit skeptical that if you extend the time frame that's allowed by, what, 33%, projects that had been approved before within the 90-day timeframe will graduate toward a 120-day timeframe, that the work required will fill that vacuum.

1730

Municipalities will be split on it. Some will say that this is a natural thing; others will say, even if they do welcome it, that they are already hitting those timeframes. If you can cut the red tape and find a process that works, ideally you would maintain the same timeframe. So there are ways of improving the process without elongating the entire time for appeals.

By way of example, Hamilton city council's response mentioned that the mayor of Hamilton's Open for Opportunity Task Force already meets these tight timeframes, the tighter timeframes than the 90 days that currently exist, and therefore necessarily would not benefit from extended timeframes. York region, in their submission, says that on average they can complete this process within 74 days.

So I do have concern here; again, not to the same extent of the former two issues I had discussed, but I do believe that if you extend the timeframes you will find that the projects in fact do take the full time to approve. I bet that translates to an increase in prices on particular projects as well, because people who invest in housing development will want to make sure they get a rate of return on their investment. There are many people who are listening today who, for example, invest in OMERS. OMERS may invest in a housing project, and they'll have to give a rate of return to the pensioners in OMERS.

**Hon Mr Caplan:** Sid Ryan.

**Mr Hudak:** Whoever it is. But if you delay when projects will come to fruition and you increase the timeframe for appeal by 33%, I would argue that that will have an impact on price, on the attractiveness of these particular investments and, as a result, the return to the companies that invest in these areas.

The other one I want to mention—once again, a bit of a theme that we're seeing in the McGuinty government's legislation—is the retroactivity that this bill gives to the minister. Granted, if you wanted to change laws retroactively, I think everybody would agree to do so in only the most extreme circumstances. People will make decisions, municipalities will make decisions, and the councils, on projects based on the rule of law of that day. Retroactivity means that we're changing the laws that they had decided under in the past and we expect them to meet a standard that they could not have predicted. So projects that were given the green light under the rules of the day, that had met the test of fairness in due consideration, now will find themselves facing an entirely new set of rules. I do believe that the minister is given great discretion in this area in choosing which projects may get one set of rules applied to them and which projects may get another, which helps me revisit my discussion earlier about so much decision-making power in this legislation resting with the Minister of Municipal

Affairs and, by extension, his recommendations to cabinet.

Retroactivity, as has been discussed in debate here in this Legislature, has been a bit of a theme in the McGuinty government legislation. The Adams mine legislation, for example, goes back several years, many years, a project that had gone through the environmental approval process of the day, and now, several years later, is going back in time and changing those rules. Bill 27 has similar powers for the minister to pick and choose which particular projects could be taken out of the greenbelt, which particular projects would be given the new rules or the old rules, and cabinet will be given the opportunity to grant exemptions, which is going to lead to extreme, extensive lobbying of MPPs, of cabinet ministers, of the Premier on local projects.

In these circumstances, once again, these are decisions that I would argue would be best left to the democratically elected councils to make. Granted, based on the provincial planning statements, fine, those would be the rules of the day. But then a call goes up to the minister's office and the minister sits there at his desk with his staff around him and decides if one particular farmer in Vineland gets the same treatment as another particular farmer in Niagara-on-the-Lake. Which MPP has he heard from, which minister has he spoken with and at what fundraising dinner was his arm tugged in a certain direction?

I think this is a very dangerous piece of legislation. By and large, we should find retroactivity objectionable as a general circumstance, and I don't think this passes the test of when retroactivity is justifiable. Projects in the pipeline are currently stopped. It is very unclear, and subject to significant arbitrariness, as to how those projects would be approved or denied, subject to extensive politics at the cabinet table at the provincial level.

What else can I tell you? Here's another good point. I'm going back to the OPPI, the Ontario Professional Planners Institute submission; I don't know if it's a submission or just comments on Bill 26. It's not just me who's saying this. I may be the first one who has said this in the Legislature on this bill so far, but I expect other colleagues will.

What does the OPPI say about this? In particular they say, "... we are concerned with the wording of proposed sections 17(53) and (54) ... relating to cabinet's role in situations in which a development application adversely affects a matter of provincial interest. While the province may need to address provincial interests that override local perspectives, this section appears to express the exact opposite of municipal empowerment"—as I said earlier, the exact opposite of what this bill purports to be—"by giving decision-making power to a body removed from the local issue. In reality, especially if the province takes an expansive view as to what is of the provincial interest...."—and that's not surprising, considering the expansive view it has taken to date, overriding local decisions and the appropriate process for the

environmental assessment on the Adams mine, overriding decisions that had been taken in the local process on the Oak Ridges moraine, an activist approach on issues of health and smoking, the fat tax stuff, and the booster seats that every grandparent and hockey coach is going to have to buy in Ontario if the new bill brings that forward.

You can't argue with me, though, that in general there has been an expansive view by this government of what the provincial interest is in those areas, and I think they may be consistent—I fear they may be consistent—in an expansive definition of the provincial interest in local planning decisions.

Back to the OPPI: "... by giving decision-making power to a body removed from the local issue.... takes an expansive view as to what is of provincial interest, all of these decisions except the most controversial ones will be rubber-stamped by an overburdened cabinet committee entirely on the basis of provincial staff reports. The proposed wording"—in the legislation today—"suggests a process that is less than transparent, timely or efficient, and fails to give the community any reassurance that its concerns are being properly addressed."

It's not a political party; it's the Ontario Professional Planners Institute. They've studied in this area and they give a very balanced report. There are things they like about the legislation, but they—

**Hon Mr Caplan:** Are you going to tell us?

**Mr Hudak:** I have nine minutes left, so I might not have a chance.

**Hon Mr Caplan:** And then you'll never talk about how much they like the bill.

**Mr Hudak:** I will endeavour to comment more broadly about the OPPI's presentation, but for the sake of where I am with nine minutes left, I wanted to emphasize their concern with the declaration of provincial interest.

**Hon Mr Caplan:** You have to be constructive on this.

**Mr Hudak:** I have been constructive. I gave you marks for consistency on urban boundaries, for example. I did not give a strong criticism with respect to municipal review periods. I do have some concern, but not as much as I do with going back to the bad old days of appeals to cabinet on local zoning decisions, or the great potential for confusion on "consistent" versus "regard to."

They give good general advice as well that the province needs to take a big picture approach and create a vision that applies to the entire province. I think that's particularly relevant for Bill 27 where we may see, depending on how the legislation comes into play, a moat created around the GTA. We have not seen great activity on the transportation front in terms of improving road corridors, the blacktop. You may see a moat created and then you'll see development leapfrog over that moat, so areas like Simcoe, Guelph-Wellington and Niagara may be next in line. The emphasis, to date, has been strictly on the GTA area—and the tender fruit lands, granted. We would all probably agree that a greenbelt on its own, as the only tool, is not an effective growth management strategy and that you need supports on the agricultural, transportation and municipal sides.

So I wanted to make sure the OPPI's recommendations got into cabinet—sorry; got into the Hansard.

**1740**

**Mr Qaadri:** There's that cabinet binder again.

**Mr Hudak:** I know. It's probably true. I'm trying to maintain an active role.

This is also interesting. When Bill 163 was brought in under the NDP and they had gone to the language the McGuinty government is returning to, on "shall be consistent with" as opposed to "regard to," AMO at that time, in their presentation to the standing committee, objected quite strongly. They said, "AMO believes that the rigid operating clause 'shall be consistent with,' along with the comprehensive set of policy statements that are overly directive and prescriptive, limit municipal decision-making authority on the form and nature of development in their communities. AMO is very supportive of returning to the 'have regard to' operating clause." AMO has a slightly different position today than they did at that point in time.

**Hon Mr Caplan:** What is their position today?

**Mr Hudak:** I think they want to see the PPS come forward. I think they want consultations on—

**Hon Mr Caplan:** What's their position today?

**Mr Hudak:** I'm responding to—it's kind of fun. It's like question period, but it's the other way around.

I think AMO has expressed—

**Hon Mr Caplan:** They support it.

**Mr Hudak:** Did they give general support to Bill 26? They do give general support to Bill 26, subject to improvements in the bill, including consultations on declaration of provincial interest—right?—on the PPS.

**Hon Mr Caplan:** So that's your position too.

**Mr Hudak:** No, I strongly reject this shift back to the Bob Rae language on planning. My position is strong.

**Hon Mr Caplan:** So you disagree with AMO?

**Mr Hudak:** AMO has some concerns about the legislation.

What I'm saying too is that when Bill 163 was brought forward, with language that is the same as the legislation proposed today, AMO was strongly against it, in 1995, because the pendulum had gone so far in terms of anti-development and anti-housing in the province of Ontario and they wanted to see more municipal decision-making. I have great concern that local decision-making is taken away, in a number of substantive ways, under Bill 26 before the Legislature.

Let me give another couple of general comments about the bill, as I indicated I would as I wrap up. I think there are a couple of assumptions here in 26 and 27 that are actually not going to be borne out. Because I'm sceptical that they will not be borne out, I think there's going to be a significant ramification for cities, as well as suburbs and the rural areas outside of cities.

People like to drive their car. I think it's a good thing that people can afford cars in greater numbers than they could decades ago.

*Interjection.*

**Mr Hudak:** If they speed or not, the issue I was going to address is congestion. People like to drive. People like

to have cars. They like the freedom of that purchase. They can move greater distances as a result of the automobile.

**Interjection:** You're faking the freedom.

**Mr Hudak:** No, it's an important point.

So this notion that everybody's going to gladly hop on to mass transit or live in densely packed urban centres I have great scepticism over.

*Interjection.*

**Mr Hudak:** No, I think you need both, but this notion that public transit is going to be a cure-all I don't think will be borne out, because people like to drive. As a result, if you want any kind of growth management strategy to be successful, you need to invest in highways like the mid-peninsula corridor. All we've seen from this government to date has been that they have slammed on the brakes. No progress whatsoever; no sign of it. It's lost in the ether somewhere. It's like an Internet file that has had its address changed and you can't track it down. There's been no progress on the mid-peninsula corridor.

**Hon Mr Caplan:** The member from Burlington.

**Mr Hudak:** Not Burlington. He also supports mid-pen. He doesn't want it across the escarpment in the area of his riding. He's been clear about that, but he supports the concept of the mid-peninsula corridor.

The other thing is that this notion that citizens are going to happily support significant intensification in urban development I think is a fallacy. You see projects in the city of Toronto today, where groups of citizens who are increasingly sophisticated, who may have resources at hand and are greatly motivated, are going to fight intensification efforts at city council. It may be curious to see if provincial policy statements support intensification and will actually work against decisions made by local councils based on local input.

**Hon Mr Caplan:** It's in their official plan. It's a local decision.

**Mr Hudak:** Regardless if it's in their local plan or not, I think members fairly recognize that a number of intensification efforts in the city of Toronto or the suburbs find motivated, sophisticated and resourced—or even if not resourced—taxpayers who are going to lobby their municipal councillors to object to that.

I don't think everybody wants to live in a condo or an apartment building. I certainly don't want to spend my life living in an apartment. It's just not my choice. It's a valid choice for people who like to be within walking distance of places—no doubt about it—or live in the city. But I like to have a bit of space. I like a garden. I think a lot of my constituents like to have their own home, detached. You want to encourage that in the province. You want to encourage home ownership. I think that's a good value.

This notion that people are going to go against what is part of Canadian culture, by and large, that they're going to toss aside their homes because the government tells them to go live in large apartment buildings or condos in large cities, is a fallacy. People like to drive. People like their space.

What is likely going to happen, through the strong controls that you're putting into place in 26 and 27, is you're just going to see—the fact that you're trying to stop in the GTA—leapfrogging into the next area. You're going to see people driving longer distances because they value the freedom of the automobile. They value the opportunity to purchase affordable housing, with space, as they're raising a family, or they want to live in a small or medium-sized town, not unlike those in Waterloo-Wellington. They're going to drive longer distances. You're going to have greater congestion if you don't build the highways.

I think that many of the premises that underlie this legislation are questionable, I think the approach is questionable, and I hope the minister will make the changes that I recommend in this legislation. I look forward to the responses of my colleagues.

**The Acting Speaker:** Questions and comments?

**Mr Michael Prue (Beaches-East York):** As always, it is a pleasure to listen to the member from Erie-Lincoln. Although he did stray a little from time to time during the hour, he largely kept entirely on topic, which is refreshing for this place, and he is to be commended for that.

He set out his four objections clearly at the beginning, and just to deal with those, because two minutes isn't a lot of time, he talked about that he did not like the words "consistent with" and preferred the "have regard to" of the Tory legislation. He talked about the difficulties that are going to ensue to any cabinet that gets politically involved. He talked about the lengthening of the review periods and how they may or may not cause problems. He also talked about the problem related to retroactivity. In fact, I think he did a fairly good analysis of the bill. I do not agree, of course, with everything he had to say, but he did have some points to be made.

My only view is that the "consistent with" is a much better policy than "have regard to." What we have seen for the last eight years since the bill was changed, Bill 163, since the recommendations of the Sewell commission were thrown out, is that the "have regard to" has never been properly interpreted by the Ontario Municipal Board. In fact, the "have regard to" resulted in so many of our historical properties being demolished. The "have regard to" led to environmental concerns being brushed aside. The "have regard to" meant that municipalities were not able to enforce what they had in their own planning acts.

I welcome your comments, but I must say that the "to be consistent with," with all of its perils that you outlined, will be a much-needed improvement.

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** It gives me pleasure to take just a couple of minutes. I always enjoy, in my few short months, hearing the member from Erie-Lincoln. I know more about the Niagara Peninsula and Vineland than I'd ever known up to this point.

The member from Simcoe North, in his comments in response to the opening hour in which he expressed some concern about the heckling from this side of the House—

all I heard were constructive interjections during that hour.

**1750**

I might just take a few seconds and reflect upon local decision-making, particularly with respect to urban boundary expansions, and maybe during the course of second reading debate I'll have a little more time. But the member for Whitby-Ajax would be particularly familiar, although not having been on a local council, with the Brooklin situation, in which the local council debated ad infinitum and consulted with their community about the future of the community of Brooklin, which is well outside the existing urban boundary along the 401 and the old four corners of Whitby. Lo and behold, the developer didn't like the local decision, which was not to proceed at that time with development in Brooklin, probably some five miles to the north along Highway 7.

The board heard from the developer and heard the plan that was being proposed for some 10,000 people. The board didn't only rule on the 10,000—and hopefully there will be the time to elaborate on this later; the board took it upon themselves to improve the developer's plans, as initially presented to the municipality, for 25,000. So that went from what the community didn't want at all at that stage to consideration of the actual submission and grew by two and a half times by the time the board was finished. I think that probably warrants some further elaboration at another point during this debate.

**Mr Dunlop:** I'm pleased to rise to make a few comments on the leadoff speech by the member for Erie-Lincoln, who, by the way, did a remarkable job, considering he's filling in for our critic, Mrs Munro, who we know is not feeling very well these days. He's had sort of a dual responsibility with this piece of legislation and this leadoff speech. So I thank you, Tim, for a job well done. Again, I was prepared to back you up.

I thank you for the comments, to the member for Pickering-Ajax-Uxbridge, because you did behave today. Most of the time you heckle us for no reason and you try to insult us, but today you did a good job and I appreciate that.

I just want to say, I've been around a few years in municipal politics and down here and I've watched a number of different Planning Act changes. Ministers come in with their new dreams and, of course, Minister Gerretsen is no different. He's got some ideas that he'd like to bring forth. However, something very important that the member for Erie-Lincoln brought up was the fact that we should have committee hearings.

If there was ever a bill that affected municipalities, and I'm talking about AMO, NOMA, ROMA and all the different rural organizations and urban organizations, it is this piece of legislation right here. If in fact we do have the opportunity to get to second reading and get this bill debated before the end of this session, I hope that there will be time set aside in the summer months to do very comprehensive committee hearings across our province, because I think it's important. And I'm not just talking about Hamilton and Sudbury and Windsor. I think we have to get to other parts of the province, which actually

do want committee hearings. We'll be supporting some parts of this bill, as long as there are some committee hearings. We need those committee hearings.

**Mr Kormos:** The expert on these matters is, of course, Michael Prue from the Beaches-East York riding. He's our critic—

*Interjection.*

**Mr Kormos:** No, the expert will be dealing with this issue, and I encourage folks to pay attention when this bill is called again for the second day of second reading debate.

I want to apologize to people who tried to watch this afternoon for the rather tepid pace of debate today. I appreciate that people were doing their best, and I salute folks who stuck with us throughout the afternoon. I applaud them and I thank them for their interest in what goes on here at Queen's Park.

One of the things that the expert on these matters, Michael Prue, the member for Beaches-East York, is going to say undoubtedly is that this bill has got to go to committee. One of the bad habits the Liberals picked up, amongst many, from the Tories—again, the member over there talks about identity theft a whole lot. The real identity theft in this province was Dalton McGuinty stealing Ernie Eves's identity along with a whole bunch of his policies, along with his passion for tax cuts for the wealthiest people in Ontario. So, Dalton, give Ernie back his identity. Well, the Liberal Party stole the identity of the Conservatives of Ontario. They haven't found a Tory policy that they aren't passionately enamoured with. You have to throw a bucket of water on them to separate them—the Liberals from Tory policy.

So, I say, this has got to go to committee. This is not what it appears to be. The bill, at first blush, sounds grand and so reformist, but I tell you, it's not what it appears to be, and that can only be exposed and revealed during a committee process.

**The Acting Speaker:** The member for Erie-Lincoln has two minutes to reply.

**Mr Hudak:** I'm pleased to reply and thank my colleagues for their comments and attention and a round of applause, which is pretty rare.

The member for Beaches-East York was kind enough about my speaking to the bill and then he highlighted my four points. So, in return, somebody actually listened for a full hour. So I thank you for that. Others may have as well, but he hit my four points on the head.

I say to the member for Pickering-Ajax-Uxbridge, I appreciate your interest. You do seem to avidly listen in the House. Vineland and Jordan and Beamsville are great areas. I'm sure Pickering-Ajax-Uxbridge are very nice as well, but if you or other members are down, I encourage you to come on by and visit some of the wineries, for example.

You do come down on a regular basis to Niagara, Mr Speaker.

Kacaba or Stoney Ridge or Malivoire are some smaller wineries that you might not get at your LCBO until VQA wine stores become a reality. I invite you to come by and stop at one of the fruit stands in Vineland on Victoria Avenue on your way back to the QEW.

The last point I wanted to make—and I ran out of time because I was so limited in terms of what I could address on this bill—was that the member for Prince Edward-Hastings had talked about the beauty of the European cities and why shouldn't we be more like the European cities. Well, we're Canada. I'm very fond of this country. We have a different culture and different development. European cities were constructed in times when transportation was tough. It was mostly on foot or on horseback; maybe the occasional trolley car or something like that, so, as a result, they were built quite densely. Most of our history has had the benefit of automobiles, and as a result, our communities can be a bit more spread out, because we value that car. But I bet if you look at Europe today compared to what it was 10 years, 15 years, 20 years ago and as the automobile became more affordable in Europe, more of them are driving and less of them are taking transit or living in small areas. I bet you're seeing the suburbs and the rural areas expanding there, as well as the phenomenon of our love for the automobile.

**The Acting Speaker:** It being 6 o'clock, this House stands adjourned until tomorrow at 1:30 in the afternoon.

*The House adjourned at 1758.*

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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D23



No. 43A

Nº 43A

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

Wednesday 5 May 2004

Mercredi 5 mai 2004

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 5 May 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 5 mai 2004

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### ONTARIO DRUG BENEFIT PLAN

**Mr Frank Klees (Oak Ridges):** The government talks a good game when it comes to protecting Ontario seniors and our public health care system, but many seniors have written to me because they are concerned that this government may not be walking their talk at all. They feel threatened.

Many of these letters that I have received in my office come from members of the McConaghy Seniors' Centre in Richmond Hill. I just received another package of letters from residents in a seniors' building at 71 Dunlop Street in Richmond Hill. I want to read into the record one of those letters, forwarded by Mrs Dorothy Baker on behalf of her neighbours:

"As a senior in Ontario, I wish to register my strong opposition to any changes in the Ontario drug benefit plan.

"Seniors on fixed incomes have no overtime, no bonuses and, in many cases, have no place to draw from. Many of us will not be able to afford vital medication. Please remember, we are the largest low-income group in Ontario and we simply cannot afford any more erosion into our income.

"We prefer to stay out of hospital or long-term-care facilities, but if there are any increased drug costs we will have to make the choice between food or drugs.

"You must reconsider making any changes to the ODB and must take it off the table."

This government is headed in the wrong direction. They must not go ahead with this intention of increasing costs to our seniors

#### SCHOOL BUS SAFETY

**Mr Pat Hoy (Chatham-Kent Essex):** I'm proud of the McGuinty government's commitment to protect over 800,000 children across Ontario who ride on 16,000 school buses each and every day. The former Tory government wasted eight years by refusing to provide vehicle liability as a mechanism for convicting dangerous drivers who recklessly pass school buses with their warning lights flashing.

I would like to thank the Marcuzzi and Loxton families for their support throughout the last eight years. I also want to thank the 50,000 people who signed petitions—the parents, students, teachers, bus owners, bus drivers, police, municipalities and community organizations for their support of my school bus safety initiative.

If passed, this comprehensive safety package will allow charges to be laid against the owner of a vehicle that is reported to have illegally passed a school bus. It would require all school buses to display signage warning of a \$2,000 maximum fine for illegally passing a school bus. Also, new school buses will be required to incorporate a number of safety design improvements, such as child safety crossing arms.

If passed, this bill will provide a new additional mechanism to increase compliance with the existing law against illegally passing a stopped school bus. We are doing this to protect the children who ride school buses in Ontario.

#### MULTIPLE SCLEROSIS AWARENESS MONTH

**Mr Cameron Jackson (Burlington):** May is MS Awareness Month, and I am pleased to support the work of the Multiple Sclerosis Society of Canada and its thousands of volunteers. We can be proud of Canadian researchers, who are world leaders in the search for a cure for this all too often disabling disease. Many MS research projects are taking place right here in Ontario.

Earlier this week, the MS society announced a new groundbreaking study of MS in children. Members need to know that MS can strike children as young as three. Researchers at the world-renowned Hospital for Sick Children are working to find the cause of MS and to determine who is at risk of developing the disease. In true Canadian fashion, they are collaborating with researchers across the country at more than 20 hospitals and universities.

At the Ottawa Hospital, researchers are in the midst of a clinical trial to find out if bone marrow transplantation can stop rapidly progressing MS. At the University of Guelph, investigators are trying to find ways to regrow the tissue that is the target of MS attacks. We can be proud of the work that Ontario researchers, funded by the MS Society of Canada and its related Multiple Sclerosis Scientific Research Foundation, are doing to benefit people with MS here and around the world.

This week, everyone should buy a carnation, say thank you to one of the thousands of volunteers, and give hope to every Canadian who is suffering from this terrible disease.

### EDUCATION FUNDING

**Ms Kathleen O. Wynne (Don Valley West):** Last night I attended a meeting in my riding with parents from elementary and secondary schools across the riding. They had come to tell me about what's happening in their schools and give me some front-line feedback on how the previous government's cuts to public education have affected, and continue to affect, their schools.

All schools agreed that staffing cutbacks have hurt students. The poor and rushed implementation of the new curriculum has left students and teachers unprepared. They need learning resources. They want us to move forward. They feel they've had enough.

French immersion programs that are recognized internationally are lacking resources. Staffing formulae are too inflexible, so that for want of one and a half students, a school is denied a teacher. Principals are spending too much time on administrative tasks. There aren't enough VPs in the schools, and there are libraries without librarians.

I want to say that I'm encouraged that the Premier has made education this government's priority, and I am delighted to see the Minister of Education's vision so clearly articulated in the latest education round-table paper. The previous government deliberately and systematically eliminated programs and supports that help students in this complex city. It accused parents of fabricating stories, as it stripped "frills" like music and gym teachers, librarians and educational assistants from Toronto classrooms.

It's time for us to repair the damage. That's what we ran on, and that's what we're going to do. Parents in Don Valley West are encouraged by the new tone set by this government, and they're looking forward to our changes.

1340

### HEALTH CARE

**Ms Marilyn Churley (Toronto-Danforth):** I just returned from Washington, DC, where I had the opportunity to help "rock the vote," alongside Senator Hillary Rodham Clinton and Jeanne Shaheen, former governor of New Hampshire and Senator John Kerry's national campaign chair, a keynote speaker at this year's inter-national women's conference of the United Steelworkers of America. Fittingly titled Women of Steel: Building Political Power, the conference saw over 400 Canadian and American female members of the steelworkers' union convene to address how they can mobilize in the upcoming US presidential election and the federal race in Canada. And we all know what a powerful momentum Steelworkers create when they unite, especially when women get together.

These delegates left the conference feeling galvanized to make their voices heard and votes count. So federal Liberals and Conservatives will soon find themselves contending with this dynamic group on the ground.

A major theme at this conference—Senator Clinton and others spoke about it—was trying to bring the Canadian health care system into the American system. The point was made that we must preserve and enhance what we have here, not tear it down, while the Americans strive to rebuild and have what we have today.

### GASOLINE PRICES

**Mr Ernie Parsons (Prince Edward-Hastings):** Today is national raise the price of gasoline day. I know every day of the year is, but this one is symbolic.

Constituents come to me and say: "How do they determine the price of gas? Is it random?" No, it's not. There's a very scientific process: On a moonlit night in a forest glade, the senior executives for the oil companies dance naked around a giant gasoline pump. As they dance, they draw random slips of paper out of an oil barrel. If the slip of paper says, "Putting prices up would hurt working families," they're thrown out of the circle. If the paper says, "It will hurt our economy," they're thrown out of the circle. If it says, "Our farmers won't be able to compete," they're gone. But if it says "A holiday weekend is coming; let's raise the price by 65 cents a gallon," they get to stay.

They continue this scientific exercise until there is one, and only one, left. At the time, this giant pump has variable rotating numbers. The number that shows is a price of gasoline that company can charge. It really doesn't matter, because they'll all change their prices to match it the next morning anyway. It is scientific, and they have a program for it, called Greater Returns are Expected Every Day, or GREED for short. So if you want to know what they base their prices on, they're based on GREED.

### TRANSPORTATION

**Mr Garfield Dunlop (Simcoe North):** Yesterday, the Minister of Transportation made an announcement on legislation that proposes changes to the Highway Traffic Act. Clearly, the announcement was made to cover the disappointment of the member for Chatham-Kent Essex. Obviously, he was a candidate who expected to be in cabinet. By resurrecting his private member's bill, the Premier has made some peace in what is becoming a tired and fractured government.

There are many questions surrounding the proposed changes. Are proposed fines to vehicle owners a sneaky way of reinstating the NDP photo radar tax grab? I believe they are. I expect the minister will begin the photo radar tax grab by allowing cameras to be installed in school zones. How can fining the owner of a car that someone else is driving possibly save lives and improve safety around school buses? It can't, and that is why it is a tax grab.

The Liberals promised 1,000 new police officers in their platform. To date, we have seen none, zero. How many officers will it take to police the cars with children as passengers? Will every child require a birth certificate to prove their age when travelling in a vehicle? Will every police officer need to have weigh scales in their cruiser to weigh children who are under 80 pounds? What about adults, or children over the age of eight who weigh less than 80 pounds? Will police officers be required to carry a measuring tape to measure the height of those who are under 4 foot 10? What are we to do with senior citizens who are under 4 foot 10 and do not weigh over 80 pounds, or even some of our pages?

This desperate attempt at improving safety is nothing more than a smoke-and-mirrors, flawed first step in reinstating the NDP photo radar tax grab.

#### MULTIPLE SCLEROSIS AWARENESS MONTH

**Mr Dave Levac (Brant):** May is Multiple Sclerosis Awareness Month. In Canada, an estimated 50,000 people live with MS, some 20,000 in Ontario. MS is a disease that attacks the central nervous system, causing a wide range of symptoms, from vision problems to numbness to problems in walking. Canada has one of the highest rates of multiple sclerosis in the world.

Fighting a disease as complicated as MS takes the work of many people. The Multiple Sclerosis Society of Canada and thousands of volunteers across Canada are making a difference for individuals living with this disease.

In Ontario, more than 40 local MS society chapters provide vital programs for people with MS and their families. Up-to-date information about MS, a helping hand and a sympathetic ear are just a phone call away.

*Interjection.*

**Mr Levac:** I hope the member is listening carefully.

The MS society also raises funds to support MS research that is making a difference right now to people with MS in Ontario, in Canada and in the world. We can all be proud that Canadian support of MS research on a per capita basis is the highest in the world.

The annual MS Carnation Campaign is taking place across Canada this week. I urge all members to support this fundraising event.

Locally, I'm very proud of the volunteers and staff of the MS society and thank Patti Sayles and the entire board, led by Richard Carpenter, for their hard work and dedication to this cause.

The Super Cities Walk for MS was a huge success in my riding, and I was proud to take part, as always. We can all be part of an effort to end the devastating effects of MS.

#### BY-ELECTION IN HAMILTON EAST

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** There's a by-election cooking in Steeltown, and this

Liberal government has shown its lack of respect to Hamilton East by betraying the very commitment to openness and democratic renewal that helped get them elected in the first place.

As we saw in last night's candidates' debate, PC candidate Tara Crugnale is holding the government to account for its deceptions. As the night progressed, it became clear to Tara Crugnale and those in the audience that when Dalton McGuinty ignored the cornerstone of our political process, hand-picking his own nomination candidate à la Paul Martin, he also shut out the people of Hamilton East.

This is an insult to the time-honoured democratic nomination process and an insult to the good people of Hamilton East, who have been repaid for past support by not being consulted in one of the most hastily called by-elections on the books. McGuinty has shown Hamilton East no respect.

As I door-knock, I hear dissent. Recently, Hamilton councillor and Liberal Sam Merulla refused to endorse the Liberal candidate after being threatened to either support him or face the consequences. Merulla said that he never backs down from a threat and is throwing his support elsewhere. There are whispers this is truly a "buy" election. Recent pork-barrelling has been a cynical ploy to grease the wheels. Hamilton East voters are looking at their options, and Tara Crugnale is one of them.

#### VISITORS

**The Speaker (Hon Alvin Curling):** Would all members join me in welcoming Mayor Mike Hancock of Brantford, Mayor Dick Kirkland of Point Edward, Mayor Lynn Peterson of Thunder Bay, and Mayor John Rowswell of Sault Ste Marie to the assembly today.

#### INTRODUCTION OF BILLS

##### KEEP YOUR PROMISES AT THE PUMP ACT, 2004

##### LOI DE 2004 SUR L'OBLIGATION DE TENIR LES PROMESSES ÉLECTORALES À LA POMPE

Mr Bisson moved first reading of the following bill:

Bill 74, An Act to provide for an interim freeze in the price of certain petroleum products / Projet de loi 74, Loi prévoyant le gel provisoire du prix de certains produits pétroliers.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Gilles Bisson (Timmins-James Bay):** This bill should ring bells in the Liberal caucus for one Mr Bartolucci, who introduced the same bill about three or four years ago when we went through the problem of high gas prices in the province of Ontario. Mr Bartolucci

had a wonderful idea that we supported—and God bless Mr Bartolucci—that we freeze the price of gas to the price of 2003 in this particular bill. I think it was a great bill when Mr Bartolucci introduced it. My caucus and I supported the bill, and we look forward to the support of Mr Bartolucci and all the Liberal colleagues in the caucus for our bill.

1350

**RETAIL SALES TAX  
AMENDMENT ACT, 2004**

**LOI DE 2004 MODIFIANT LA LOI  
SUR LA TAXE DE VENTE AU DÉTAIL**

Mr O'Toole moved first reading of the following bill:

Bill 75, An Act to amend the Retail Sales Tax Act / Projet de loi 75, Loi modifiant la Loi sur la taxe de vente au détail.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr John O'Toole (Durham):** The Liberal government has just recently been forced to recognize that a tax on soup and salad or a Happy Meal was simply cruel; in fact, it was wrong. This private member's bill simply adjusts the tax exemption status on a family meal to better reflect today's cost of living. I recommend that the Minister of Finance, my good friend Mr Sorbara, consider this in his May 18—

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: I would ask that the table review that bill carefully. From the sound of the member's description of the bill, it may in fact be out of order. I would ask the table to check that and inform the House as to whether the bill is in order.

**The Speaker:** Have you completed reading the bill?

**Mr O'Toole:** I reflect on a couple of bills that have been introduced in the House that did encourage the government to spend money. I fully recognize that that's not in compliance with the purpose of private members' business. But this does—

**The Speaker:** I get the impression that you're debating the bill.

Let me just comment on your point of order: I am not able to determine where the bill is going to be, so I'll allow it to go.

But I hear you debating the bill.

**ELECTION AMENDMENT ACT, 2004**

**LOI DE 2004 MODIFIANT  
LA LOI ÉLECTORALE**

Mr Patten moved first reading of the following bill:

Bill 76, An Act to amend the Election Act / Projet de loi 76, Loi modifiant la Loi électorale.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Richard Patten (Ottawa Centre):** This bill has a purpose. The purpose of it is to add the candidate's

political affiliation to the election ballot, a change that has been advocated by several members in this Legislature, past and present. The bill represents, I believe, an important step in the democratization of our system in Ontario. I look forward to debating this in a couple of weeks, on May 20.

**MOTIONS**

**HOUSE Sittings**

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move government notice of motion number 58: Pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Wednesday, May 5, 2004, for the purpose of considering government business.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion, say "aye."

All those against, say "nay."

I think the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1356 to 1401.*

**The Speaker:** Mr Duncan has moved government notice of motion number 58. All those in favour, please rise and be counted by the Clerk.

**Ayes**

Arnott, Ted	Flynn, Kevin Daniel	Parsons, Ernie
Baird, John R.	Gerretsen, John	Patten, Richard
Barrett, Toby	Gravelle, Michael	Phillips, Gerry
Bartolucci, Rick	Hardeman, Ernie	Pupatello, Sandra
Bentley, Christopher	Hoy, Pat	Qaadri, Shafiq
Berardinetti, Lorenzo	Hudak, Tim	Racco, Mario G.
Bountrogianni, Marie	Jackson, Cameron	Ramal, Khalil
Bradley, James J.	Klees, Frank	Ramsay, David
Broten, Laurel C.	Kwinter, Monte	Runciman, Robert W.
Bryant, Michael	Lalonde, Jean-Marc	Ruprecht, Tony
Cansfield, Donna H.	Levac, Dave	Sergio, Mario
Caplan, David	Marsales, Judy	Smith, Monique
Chambers, Mary Anne V.	Martiniuk, Gerry	Smitherman, George
Colle, Mike	Matthews, Deborah	Sorbara, Greg
Cordiano, Joseph	Mauro, Bill	Tascona, Joseph N.
Craitor, Kim	McGuinty, Dalton	Van Bommel, Maria
Crozier, Bruce	McNeely, Phil	Watson, Jim
Delaney, Bob	Meilleur, Madeleine	Wilkinson, John
Di Cocco, Caroline	Miller, Norm	Wilson, Jim
Dombrowsky, Leona	Millay, John	Wong, Tony C.
Duguid, Brad	Mitchell, Carol	Wynne, Kathleen O.
Duncan, Dwight	O'Toole, John	Zimmer, David
Dunlop, Garfiel	Orazietti, David	

**The Speaker:** All those opposed to the motion will please rise.

**Nays**

Bisson, Gilles	Marchese, Rosario	Murdoch, Bill
Kormos, Peter	Martel, Shelley	Prué, Michael

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 68; the nays are 6.

**The Speaker:** I declare the motion carried.

**PREMIER'S AWARDS  
FOR TEACHING EXCELLENCE**

**PRIX DU PREMIER MINISTRE  
POUR L'EXCELLENCE  
DANS L'ENSEIGNEMENT**

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** Today I rise to announce a celebration, a celebration that is new and different and long overdue. It is time, quite simply, to celebrate excellence in teaching in the province of Ontario.

I'm announcing today the Premier's Awards for Teaching Excellence. Next to parents and families, who play the most important role of all, teachers are the greatest single influence over our children's future.

Chaque journée scolaire, la société confie aux enseignants et au personnel de soutien de nos écoles notre plus précieuse ressource, soit nos enfants. Notre tâche la plus stimulante consiste à en faire de bons citoyens et des travailleurs compétents.

It's not an easy job being a teacher, Speaker, as I'm sure you will appreciate, especially when we send those children in groups of 25, 30 or more, children who are all different in terms of their ability, their background and their home environment.

We ask our teachers to teach math and reading, to lead the "healthy body" talk and the bake sale, to pass on conflict resolution skills and good eating habits, to coach sports and put on a play, to fill many roles, and at the same time to be role models. We present them with countless challenges, but we also entrust to them limitless potential—the potential of every student to dream, to achieve, to excel, to learn. Great teaching can and does unlock that potential. Think about the moments a great teacher can author: the moment a boy realizes he can read a book; the moment a girl realizes she can master math; the feeling of winning a race for the first time, or just the feeling of being in the race for the first time; the realization that a bully can be stopped if everyone stands up to the bully; the notion that there is a world beyond your neighbourhood, and even beyond your high school, and that you can not only go there, but can do great things when are you there; the instant that you take centre stage or take centre court or take your place at a science fair and experience what it's like to have people rooting for you, applauding you, even cheering for you. These moments are teaching moments, great teaching moments.

Someone once said that teachers never know where their influence will end. I am sure that in all of our lives there are teachers we remember and whose influence is continually felt by ourselves.

I remember Madame Jacqueline Guillet, my grade 5 teacher, whose enthusiasm for music was absolutely infectious. She taught me and my pals to love singing. I'm sure the result was nothing less than painful, but the fact is that we actually enjoyed it.

Jean-Pierre Groulx was my grade 8 teacher, but the reason I remember him is because he was an absolutely wonderful volleyball coach.

Paul Howard taught me grade 9 history and he made those historical figures come to life.

Fidel Palumbo taught me Italian in grade 13, and when we walked into that classroom, we were walking into Italy. We were taught that Italian was not just a language, but a way of life.

Dr Yernini taught me grade 13 physics and he made physics for us nothing less than exciting.

I remember my teachers, as I'm sure we all do. Their influence is continually felt in our lives. So it is entirely fitting that we celebrate great teaching and great teachers. We're going to celebrate enterprise in teaching, teachers who inspire the spirit of innovation in our children by demonstrating innovation in the classroom. We will celebrate teachers and support staff who foster leadership by teaching what it means to lead.

Nous allons rendre hommage aux enseignantes et enseignants qui obtiennent la participation des parents, qui rendent la communauté énergique, qui démontrent une compréhension du fait qu'aucun d'entre nous ne peut éduquer un enfant aussi bien que nous tous ensemble.

We're going to celebrate teachers who show a special ability and commitment to teaching children with special needs. We're going to celebrate teachers who best prepare children for their entire lifetime. We're going to celebrate teachers who have spent their lifetime achieving great things in teaching. We will celebrate teachers who make great strides in teaching literacy and numeracy. We're going to celebrate our new teachers. We're going to celebrate the staff, aides and assistants who support excellent teaching.

We will celebrate teachers by singling out outstanding individuals in each of these categories as an example of the fine work done by so many teachers right across our province. Our most prestigious award will name one elementary and one secondary teacher as Teacher of the Year, again as an example of the tremendous work done by so many teachers each and every year.

#### 1410

This is, in reality, only a small gesture, but we believe it is an important one. As a good teacher might remind a young pupil, saying "thank you" is a small thing until you neglect to do it. I want our teachers to know, and I want our parents and students to know, that the war against teachers in Ontario is over. The war is over. Civility commands it and our children demand it. They demand that we adults work together in their interest and we intend to do that.

A new future for public education has begun in Ontario. We understand that if we get public education right, we get the best citizens and we get the best workers, who build the strongest society and the most prosperous economy. Excellence in teaching is fundamental to excellence in public education.

William Butler Yeats said it best: "Education is not filling a bucket, but lighting a fire." We are going to celebrate those teachers who demonstrate excellence when it comes to lighting that fire, nurturing that burning desire in our children to learn.

**Mr Ernie Hardeman (Oxford):** I am pleased to rise today to speak to the announcement made by the Premier about the Premier's Awards for Teaching Excellence. I have to say that I, along with the media, was somewhat disappointed this morning by the announcement, not because we don't want to reward teachers for achieving excellence in their profession—we support that wholeheartedly—but I think we were all expecting to hear more concrete plans for the government's future vision of education.

We have a government of Ontario that promised they would help children who need it the most. Instead, today we've learned that all they offer is platitudes. They are talking about bringing peace and stability into the classroom, while 240 teachers who teach some of Ontario's most vulnerable students are on the picket line. We have a government that promised a moratorium on school closings, but now we hear that a moratorium means "not till after the election."

We have a government that promised to give teachers the tools and training they needed for excellence in teaching. It's common sense to make sure that our teachers are the most qualified and skilled professionals. Teachers shape the minds of tomorrow's leaders and should ensure that their skills are up to date at all times. But the Liberal government doesn't understand this. In December 2003, the Liberal education minister promised to cancel the professional learning program for teachers, leaving the Ontario College of Teachers with \$600,000 in leasing fees alone, and this isn't accounting for any contracts that are outstanding.

We have a government that promised they would put in place a hard cap of 20 students per class for kindergarten to grade 3, but today we still are waiting for their plan. Mr McGuinty and Mr Kennedy are unwilling to share their plan for implementation and unwilling to give Ontarians the straight goods on the cost of this initiative. The Liberals claimed this initiative would cost \$375 million, but Ministry of Education experts estimate it at \$1.63 billion to implement. Where is their plan for this cost?

Dalton McGuinty and Gerard Kennedy want to go back to the old days of no standards in education. Ontario cannot reach for tomorrow by going back to yesterday. There needs to be a comprehensive plan to move forward, a plan that emphasizes quality and excellence through higher standards and more accountability, not by lowering the bar.

In today's world, education is key to success, giving young people the skills needed to compete in a global economy. Education helps students become responsible citizens and is one of Ontario's keys to prosperity. Today, I would like to congratulate the teachers who have excelled in their profession. I do not want to downplay the importance a good teacher's influence can have on the province's children. However, I hope the new government will give you the support necessary to continue to be the best, most up-to-date and relevant teacher that you can be.

I would like to share my time with the lady in the front row.

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I just want to say that I'm personally very pleased to see that new awards are going to be provided to celebrate teaching excellence in Ontario. As a former secondary school teacher and as a former trustee and chair of the Waterloo County Board of Education, as it was then called, I will tell you that it is extremely important that we acknowledge and recognize outstanding teachers in the province. And certainly as the former Minister of Education, I have had the pleasure throughout my life, starting from the time that I was a student, to have been blessed with many hard-working, dedicated teachers.

In fact, I can tell you that when I first came to Canada and I didn't know the English language, it was my teacher in kindergarten and grade 1 who helped to take my grades from an F to an E. It was because of the dedication of Mrs Helen Jermyn, who spent the time with me during recess and after school.

These awards are something that I know the Premier knows that we were planning to introduce as well. Our party certainly did support these awards. I want to congratulate all of the teachers in the province for their dedication and commitment, and for making such a tremendous difference in the lives of the young people in this province. Certainly, my personal experience tells me that they are all winners. Congratulations.

**Mr Rosario Marchese (Trinity-Spadina):** I want to say, with all due respect, as lawyers say, that there is nothing inherently bad about the idea. It's good to be able to celebrate the achievements of teachers. I think teachers will like it. Yes, there are already a couple of awards honouring and celebrating the achievements of teachers—and add one more by the Premier. What the heck. It's a good thing, not a problem. But at some point the teachers are going to say, "Show us the money." At some point the teachers are going to say, "Monsieur Kennedy, what about the promises you made?"

They feel good about this announcement, no doubt. I'm sure the teachers you talked to today—I was there—feel good about the announcement. I felt OK about it. But I thought I was going to a press conference where the Premier was going to announce something big. I didn't expect that this would be the announcement; I expected some dough to be announced on the promises they made. Let me remind you about some of the problems we have and some of the promises you made.

First of all, all boards are in the dark about how much money they're getting. They ought to have known a month ago or longer, but they're not going to know until the end of this month sometime. They need to plan for September, and they still don't know. They're in the dark. Teachers are in the dark. And we're waiting for the Premier, Monsieur Kennedy and Monsieur Sorbara to announce how much money our boards are going to get.

Two, kids at risk: Monsieur Kennedy used to love to talk about how many kids are at risk at the Toronto board—and so did I, for that matter. And he used to, like

me, talk about the fact that youth counsellors were being fired by the Toronto board because they were underfunded by the province and, oh God, how bad it was for the kids who were at risk, who would be failing and dropping out, troubled kids who needed help. We needed to keep youth counsellors in the system. Gerard was there saying, "Don't worry. When we get elected, we'll fix that." There's not a peep from Gerard, not a peep from Greg and not a peep from the Premier about whether they're going to replace the youth counsellors.

You remember, Gerard, about the curriculum casualties. You used to talk at length about the curriculum casualties and how many thousands of students were falling through the cracks because of the policies of the Conservative government, and indeed, they were. Gerard said at that time, "Kids can't wait; we need to fix the system now." Six months into government and there's not a peep about how they're going to fix the problem in this coming September for those curriculum casualties, not one peep. Gerard, where is the money to fix that problem? Another broken promise.

1420

Dr. Rozanski said that we need to put back a whole lot of money. Gerard, in the debates with him, agreed that we needed to implement the recommendations of Dr. Rozanski. We're talking about putting back \$1.1 billion. Is Gerard saying the money is coming? I don't hear him saying that.

We talk about school closures. Last December, I remember Gerard saying, "We are imposing a moratorium on school closures." In my view, "moratorium" means not one school will close—not one. Yesterday, in response to a question, Gerard said 97% of the schools are open; therefore, the moratorium is OK in his mind. Sorry, Gerard, "moratorium" means not one school will close.

**Ms Shelley Martel (Nickel Belt):** How many are closing?

**Mr Marchese:** Forty-four schools will close this September, and more and more will close after that. I remember Gerard talking about the problem of community use of schools and how so many high school students are in trouble and need a place to go and have recreational places where they can play. He said, and I said, that we need to fix that problem.

**Ms Martel:** No response.

**Mr Marchese:** I haven't heard a peep from Gerard Kennedy about how they're going to fix the problems with the community use of schools and the fact that so many of our kids can't afford to use our gyms. I'm waiting for you, Gerard, and I'm waiting for you, Premier, to make the important announcements.

Premier, I celebrate teachers all the time. I say, as I said when the Tories were in power, that teachers are the real heroes. They are. But I'm getting awfully tired of this "peace and stability" and "war on teachers" and "we love them" kind of stuff. I'm waiting for you, Premier and Greg and Gerard, to show us the money. Keep your promises. Make the promises work.

## ORAL QUESTIONS

### ONTARIO BUDGET

**Mr John R. Baird (Nepean-Carleton):** My question is for the Premier. I have in my hand a document bearing your signature, and I'd like to read it for you. It says:

"Taxpayer protection promise

"I, Dalton McGuinty, leader of the Liberal Party of Ontario, promise ... not to raise taxes" and not to run deficits, and "I promise to abide by the Taxpayer Protection and Balanced Budget Act."

Premier, it's got your signature on it.

I want to ask you a very clear and direct question: When you make such a clear and unambiguous commitment, promise and personal pledge to the people of Ontario, can we count on your keeping that promise?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I can tell you that the greatest disappointment experienced by the electorate, shortly after the last provincial election, was their discovery that the former government had hidden the truth from them when it came to the size of the deficit: a \$5.6-billion deficit. All the while, the previous government had claimed that no such deficit existed.

That remains a real issue with the people of Ontario. We intend to change the law to ensure that can never happen again, and that when we go into an election, people know the real state of the finances.

**Mr Baird:** Your chief financial adviser while you were Leader of the Opposition, Gerry Phillips, clearly warned you there was a \$5-billion risk in the province's numbers. You personally voted for the taxpayer protection act. No one put a gun to your head and forced you to do a photo op and media stunt with the Ontario Taxpayers Federation. Now, in a premeditated way, you're about to break the law of Ontario.

My question to you, and it's a direct question, is: Do you think that door-to-door salesmen who commit fraud should go to jail, and how is what you're doing any different?

**The Speaker (Hon Alvin Curling):** That language is a little unparliamentary; as a matter of fact, it is unparliamentary. Would you like to withdraw?

**Mr Baird:** I would withdraw the word "fraud," if it causes you concern, and replace it with "scheme."

**The Speaker:** Order. Could you just withdraw?

**Mr Baird:** Withdraw.

**The Speaker:** Premier?

**Hon Mr McGuinty:** Speaker—  
Interjections.

**The Speaker:** Order. We just started question period. Would you like the Premier to respond? Premier.

**Hon Mr McGuinty:** I'm sure my friend opposite would be interested in taking a look at the copy of the 2003 Ontario budget, infamously known as the Magna budget. It says in here that that budget was to be balanced. They and the Premier maintained, that throughout the course of the campaign, when in reality there was

a \$5.6-billion deficit. If anybody here is guilty of doing anything that was offensive to the people of Ontario, surely it was the former government.

**Mr Baird:** Taxpayers in Ontario feel deceived, they feel scammed, they feel conned, they feel swindled and they feel hoaxed. What we're seeing in Ontario is nothing short of massive electoral fraud. Will you stand in your place and say that you will keep your promise to the people in the province of Ontario and keep your word—

**The Speaker:** Order. On a point of order?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: Moments ago you found the words "fraud" and "hoax" to be unparliamentary. I would suggest that the member opposite, in his temper tantrum, used those terms again.

*Interjections.*

**The Speaker:** Order. The tone of your question is becoming quite unparliamentary, so could you just withdraw those comments?

**Mr Baird:** I'll withdraw that and say swindle, racket, hoax, deceit, sham—

**The Speaker:** Order.

*Interjections.*

**The Speaker:** I'm asking for co-operation from all members. Also, the member from Erie-Lincoln, I'd like your co-operation with this.

Now I'm going to address the member from Nepean-Carleton. I'm going to ask you to withdraw, and I don't want—

**Mr Baird:** Withdraw.

**The Speaker:** Thanks. Premier?

**Hon Mr McGuinty:** To try to introduce some civility into this exchange, if there is one thing that offended the people of Ontario during the course of the past eight years, it was the devastation caused to their public services. It was the fact that they lost water inspectors; it was the fact that they lost their meat inspectors; it was the fact that they lost nurses by the thousands; it was the fact that their schools came under attack; it was the fact that this was a government that no longer assumed its responsibility as a government to defend public services. That's what offended the people of Ontario.

**The Speaker:** New question?

**Mr Robert W. Runciman (Leeds-Grenville):** My question is for the Premier as well. I have in front of me the December 2003 issue of the Canadian Taxpayers Federation publication with the headline, "Now He Must Keep His Word." Right on the front cover, we have a smiling Dalton McGuinty and a clearly pleased John Williamson of the Canadian Taxpayers Federation. I'd like to see Mr Williamson's face today, knowing that he was duped and his organization used by the Liberal Party in a cynical scheme to persuade Ontario voters that you would be responsible keepers of the public purse.

Premier, your signing of the taxpayers' protection pledge is a major reason why you are sitting in that seat today. Why are you betraying the public's trust?

1430

**The Speaker:** Order. Today is a very unusual day. It seems to me everyone is using some very unparliamentary language. I would ask the member to withdraw that comment.

**Mr Runciman:** I would ask for an explanation, Mr Speaker. I have no understanding whatsoever of what you are referencing.

**The Speaker:** You know what unparliamentary—you said.

**Mr Runciman:** I do not. I didn't say "Pinocchio."

**Mr Baird:** On a point of order, Mr Speaker—

**Mr Runciman:** Mr Speaker, if I said something to offend you, I withdraw.

*Interjections.*

**The Speaker:** Let's settle down a bit, the member from Nepean-Carleton. Could you proceed in a much more polite way with respect for each other.

Premier.

**Hon Mr McGuinty:** I recall when the members opposite—then members of the previous government—gave the then Premier Ernie Eves a standing ovation when he broke the taxpayers' protection act of Ontario. They like to forget that, but I remember that.

Let me remind the members opposite and further inform Ontarians about some of the steps we've already taken to bring costs under control:

We've cancelled a corporate tax cut that would have come up to \$2 billion fully annualized, because we couldn't afford it.

We've cancelled the private school tax credit because we believe as a matter of principle that if there is money available, it should go into our public schools, not our private schools.

We are introducing a law, the first of its kind in North America, if not in the world, that will ban the use of taxpayer dollars for partisan political advertising.

We are defending the public purse.

**Mr Runciman:** We can argue over what the former government did or didn't do, but there's no argument that you are planning to break the law as currently written. What are you going to do? You are going to change the law to allow you to break your commitments to the people of Ontario. This is truly unbelievable and shameful conduct on the part of the Liberal government, a conduct that would make Fidel Castro proud.

Premier, you're showing contempt for the law, contempt for Ontarians who trusted you and gave you their votes, and contempt for your own words about the need to combat cynicism about politics in Ontario. Before it's too late, will you recommit to the pledge signed just eight months ago to abide by the Taxpayer Protection and Balanced Budget Act. Will you do that?

**Hon Mr McGuinty:** What the member is really asking me is, are we prepared to support their balanced-budget legislation, which enabled them to hide a \$5.6-billion deficit from the people of Ontario? No, we will not support that law. We will introduce transparency, accountability and openness into the state of the government's finances before the next election.

**Mr Runciman:** Premier, in last year's Liberal campaign platform, you are quoted as saying, "Nothing inspires me more than the opportunity to combat the cynicism that far too many people feel about Ontario politics." Fine words, but clearly phony words.

What message do you send to young people about the rule of law when you are so casually prepared to break the law, a major promise of your campaign? What message do you send to young people when you betray the trust of Ontarians who wanted to believe in you and gave you their vote? You're betraying your own words and you're betraying the people of Ontario if you move ahead with this plan. Will you reconsider, do the right thing and honour your pledge?

**Hon Mr McGuinty:** I can assure you we're going to bring transparency, accountability and openness to this government's finances in a way that has never been there before.

I listened with great attentiveness to the members opposite. If only they had been as diligent, as forthright, as open and as accountable as they profess themselves to be now, if only they had brought that kind of approach to the government, then all of us would have known before election day that the true state of the finances was a \$5.6-billion deficit.

#### GASOLINE PRICES

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Gas prices have rocketed to 85 cents a litre in Toronto and over 88 cents a litre in northern Ontario. Consumers across the province are taking a big hit in the pocketbook, while big oil companies rack up the profits. A year or two ago, Premier, when you were in opposition, your Liberal members all brought forward bills to protect consumers from being gouged at the gasoline pumps. Mr Bartolucci, Mr Bradley, Mr Gravelle, Mr Colle and Mr Crozier all introduced bills to protect consumers from high gas prices. Yet today, when consumers are being gouged, you're all silent. Premier, why are you breaking your many promises to protect consumers at the gas pumps?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** The Minister of Energy.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** We have watched with great concern as gasoline prices have gone up throughout the Western world. I think it's quite appropriate for members of all political parties to express the concerns their constituents have with that issue. We've all watched. In my community yesterday they went up to 89 cents. Across Ontario, across Michigan, across New York, across most of the United States, across western Canada—Montreal hit records yesterday. I think it's appropriate for members to express the frustrations of their constituents. I think it's quite appropriate to do that. We continue to be concerned about it, and we will watch very carefully and listen to the ideas they have for dealing with this issue as it moves forward.

**Mr Hampton:** Well, Premier, the minister has stated the obvious: Gas prices are going through the roof and people are being screwed. So we have introduced Mr Bartolucci's bill—Mr Bartolucci, the member for Sudbury, who introduced his private member's bill saying that prices should be rolled back to what they were two years ago and then frozen for 90 days. As recently as a year ago, Mr Bartolucci said, "As long as the Harris-Eves" Conservatives "refuse to take on the major oil companies, Ontarians ... will continue to be gouged at the pumps."

Mr Bartolucci is in your cabinet now. Mr Bradley is in your cabinet. Premier, are you saying they didn't mean these things when they said them? Are you saying these promises were empty and idle? Are you admitting that Liberals are breaking another promise to the consumers of Ontario?

**Hon Mr Duncan:** Colleagues on all sides of the House have quite properly expressed their concern about gasoline prices. We all do.

The member suggests that the government of Ontario can fix it; the government of Ontario cannot.

*Interjections.*

**Hon Mr Duncan:** I hear the Tories across the way. The government of Ontario can't fix it. You may think they can.

Let me tell you what the Tory gas-busters said in their report: "Only the federal government has the jurisdiction to address the competition issue by strengthening the provisions of the Competition Act and by ensuring that the Competition Bureau has the resources it needs to enforce those provisions."

The gasoline busters over there pretended they could fix it; they can't. The NDP pretend they can fix it; they can't. There is a serious problem around the world. We're concerned about it, unlike the previous governments, who made 14 commitments and kept only one of them. That's a shameful record. I applaud my colleagues for putting forward the interests of their—

**The Speaker (Hon Alvin Curling):** Thank you. New question.

1440

#### CHILD POVERTY

**Mr Michael Prue (Beaches-East York):** My question is to the Premier. Mr Premier, Campaign 2000 reported yesterday that as a province we have made no progress in ending child poverty. They have also said that the biggest single step you can take as Premier is to end the clawback of the national child tax benefit. That single act alone would put \$1,500 more into the hands of a single parent with one child.

You promised to fight child poverty. This is where I ask you, will you end the clawback or is this just another of one of your empty promises?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** The minister would like to speak to this.

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** Yes, we are truly concerned on this side of the House, and I'm sure I speak for all members of the House, about child poverty in this country and in this province. We have made some very good first steps in addressing this.

We increased, for the first time in a decade, money for child care, and many more dollars will come to regulated child care in the months to come. We also increased, for the first time in eight years, the minimum wage, and gave back the social assistance on nutritional supplements for pregnant women, something the former government cut, with some very nasty statements that went along with it.

This is not a simple issue. I know the honourable member knows that. It has to do with working conditions, the economy, child care and education. We're working on all those fronts with all my colleagues to address these issues.

**Mr Prue:** It is not a simple issue, but neither is poverty. You know full well the circumstances in which these people are living. You know full well that we need 20,000 units of affordable housing that you promised and have done little on. You know full well that we need the child care funding that has been given by the federal government to be distributed now, not later. You know full well that people on social assistance and ODSP need a raise now, and none of those things are happening. Nothing is visibly being done. These promises you made today are promises that are being broken.

My question again: Why would anyone believe you are going to act on child poverty, given the record of your government in the last six months?

**Hon Mrs Bountrogianni:** I'd like to thank the member for the supplementary, and I'd also like to thank Campaign 2000 for their report. Two weeks ago, I met a member of Campaign 2000; he came along with the Ontario Coalition for Better Child Care. We will be working together with Campaign 2000, together with the coalition, together with children's aid, together with social assistance and my colleagues to address this very complex issue.

## ONTARIO BUDGET

**Mr Jim Wilson (Simcoe-Grey):** My question is to the Premier. I want to ask how you, Premier, in good conscience, could tell the people of Ontario that you would balance the books and not raise their taxes when you knew there was a deficit last year due to SARS and 9/11. Your own finance critic, Gerry Phillips, said there might be a deficit due to SARS and 9/11. The Fraser Institute said there would be a deficit. You've already passed the largest tax increase in Ontario's history. I want to know, Premier, based on what you knew at the time you signed the taxpayer protection promise, how could you, in good conscience, sign that promise when you knew you were going to break it?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** Our greatest error in judgment,

and I will admit to this, was having relied on that former government for their information with the respect to the state of the finances.

**Mr Wilson:** Premier, I want you to look the taxpayers straight in the face. At the time you signed the taxpayer protection promise, you said that you wouldn't raise people's taxes and that you would balance the books of the province. You had all the information you needed to make a good-conscience decision, yet you persisted in your TV ads when you said to people through the TV into their living rooms several times a day that you would not raise people's taxes, but you wouldn't lower them either.

Premier, I can only conclude one thing, and that is that what you said during the election campaign and your signature on the taxpayer protection promise is nothing but a premeditated lie to the people of Ontario. Will you get up and apologize to the people of Ontario?

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. The member from Simcoe-Grey, would you withdraw that comment you made?

**Mr Wilson:** Mr Speaker, I don't feel in good conscience I can withdraw that.

*Interjections.*

**The Speaker:** Order. I'm going to ask the member from Simcoe-Grey to withdraw the comment.

**Mr Wilson:** Mr Speaker, given the facts today, I can't withdraw that.

*Interjections.*

**The Speaker:** Order. I have no alternative but to name the member. Sergeant?

*Mr Wilson was escorted from the chamber.*

*Interjections.*

**Mr John R. Baird (Nepean-Carleton):** There are some autistic children out there. Why don't you go and lie to them?

**The Speaker:** Order. May I ask the member from Nepean-Carleton to withdraw his comment?

**Mr Baird:** I withdraw.

## CONSUMER PROTECTION

**Mr Kim Craitor (Niagara Falls):** Mr Speaker, I am pleased to stand in my place and conduct myself in a parliamentary fashion.

My question is for the Minister of Consumer and Business Services. Currently in Ontario there is a patch-work system of licensing electrical contractors. Licensing standards vary greatly from one town or municipality to the next. Some 70 municipalities currently license contractors based on unique local standards, and many do not license contractors at all. As a result, electrical contractors may need multiple business licences to work in some regions. Across the street, there may be no licensing requirements at all.

In my riding of Niagara Falls I have been contacted by many electrical contractors who would like to see some sort of standardization across the province. Last week,

Minister, you introduced legislation to deal with this issue. How will you help streamline and standardize the licensing system for Ontario's thousands of contractors and electricians?

**Hon Jim Watson (Minister of Consumer and Business Services):** I want to thank the honourable member for Niagara Falls for the question and also for his many representations on behalf of electrical contractors in his community and throughout Ontario.

If passed, Bill 70, which I had the pleasure of introducing last week, would enable our government to establish a modern, consistent and clear legislative framework for electrical safety. The bill proposes the implementation of a province-wide uniform licensing framework in the province of Ontario so that electrical contractors don't have to go from municipality to municipality, getting separate and distinct licenses. I'm pleased to report that these changes, if adopted by this Legislature, have the support of industry, small business, contractors and labour groups. I'm pleased to hear from the president of the Association of Municipalities of Ontario, who is also supportive of the initiative.

1450

**Mr Craitor:** Minister, in my riding of Niagara Falls, there are a number of electricians who have worked in the industry for years. These small businesses can ill afford to be bogged down by heavy regulations. Would the proposed provincial licensing framework force small electrical contractors out of business?

**Hon Mr Watson:** The short answer is no, for the simple reason that I believe, and our government believes, that small contractors in fact would be protected from a province-wide licensing agreement for the simple reason that it would eliminate underground business practices, something I know that my colleague the Minister of Labour has been working diligently on. That is not good for the economy and it's not good for those people who follow the rules of the game.

A uniform provincial licensing system would ensure that we don't have the kind of unqualified contractors who may be giving individual customers a good price, but they are not up to the standards, both from a safety and a consumer point of view. This is an initiative brought forward by the McGuinty government that we believe is going to be well received, not just by the small contractors but all contractors. The labour movement is supportive of it as well. Province-wide licensing would be phased in over five years to give that degree of comfort to those people who perhaps need training to meet the new standards.

#### LIBERAL CAMPAIGN PROMISES

**Mr Tim Hudak (Erie-Lincoln):** A question to the Premier: I want to talk to you about the value of the word of the Premier of the province of Ontario. Mr Premier, you gave us your word that you would not raise taxes. You are breaking that promise. The Premier vowed to us that he would not raise hydro rates. They're going up by

28%. The Premier looked into the eyes of the parents of autistic children and promised them funding. You've turned your back on them. Just last September, you signed the Taxpayer Protection Act. You signed the contract. You put your name on the dotted line. Today you're ripping it up. Your own signature is worthless. Why should the taxpayers believe anything but that your word, the word of the Premier, is worth dirt?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I didn't detect a question there, Speaker.

**Mr Hudak:** Mr Premier, I know you can't answer the question of why anybody should believe a word you say. You have broken scads of promises.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: He's implying that the Premier has lied, which is out of order and it's unparliamentary.

**The Speaker (Hon Alvin Curling):** Supplementary.

**Mr Hudak:** Mr Premier, I can't believe you can't answer the question. The simple question is: Why should we believe a word that you say? You have broken scads of promises. Sadly, people have come to think that Dalton McGuinty breaks his promises. They've come to expect that. McGuinty and promise-breaking is almost—

*Interjections.*

**The Speaker:** Order. I'd like to hear the member from Erie-Lincoln's supplementary.

**Mr Hudak:** Sadly, people have come to expect Dalton McGuinty to break his promises. It's almost synonymous. It's absolutely embarrassing. Today, Mr Premier, is the big one, the mother of all broken promises: ripping up the Taxpayer Protection Act to allow multi-year deficits and mega tax hikes. You promised to bring integrity to government. You've given cynicism and promise-breaking free rein. You said you've been a boy scout, but you've done nothing but break your word.

**Hon Mr McGuinty:** Apparently, the member opposite is a champion of integrity and doing everything that would instil confidence in the political process and our system of government, so I will leave him with this particular query, then: There's balanced budget legislation that specifically requires that the budget be balanced, failing which the cabinet responsible for that budget should forfeit a portion of its salary. So I say to the member opposite, given that he saddled the people of Ontario with a \$5.6-billion deficit, will he do the honourable thing and send over a portion of his salary?

*Interjections.*

**The Speaker:** Order. I hope the Parliament would be an example of where we can conduct some business. It doesn't seem to be that way today. If there are any more outbursts like that, we may have to take some other actions. We cannot proceed with question period with this shouting. I say too that members who have great experience in this place and know much better than that should set an example. Could we proceed with questions.

## NURSES

**Mr John Milloy (Kitchener Centre):** My question is for the Minister of Health. As the minister knows, our province's nurses are one of the most important contributors to Ontario's health care system. Despite their incredible contributions, cuts made by the previous government have led to tremendous hardship for them. I've heard first hand from nurses in my riding that a lack of full-time positions has created a poor quality of working life and often forced them to take on a horrendous shift schedule, sometimes at different hospitals and health facilities.

During the election, we promised that we would create more full-time positions and better working conditions for nurses in hospitals across this province. In light of these promises, can the minister tell us what we have done so far to relieve some of the pressure that nurses in hospitals have been facing because of the cuts made by the previous government?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I think all members in the House would agree with the idea that nurses are the heart and soul of health care. We said very clearly that we, as a government, have a responsibility to rebuild the foundations of nursing, and I'm pleased to say that we've made important down payments on that.

In February, when we announced \$385-million in new funding for hospitals, we targeted \$25 million of that toward nursing: 400 new full-time nursing positions created in February. Last week, we announced a further \$25 million for the smallest hospitals in Ontario; a further 400 nurses have been hired.

Further, I'm working with my colleague the Minister of Labour to enhance workplace health and safety conditions. We put more money into equipment to deal with some of the workplace health and safety challenges our nurses are facing.

On the issue of full-time nurses, I'm pleased to say that Ontario's hospitals are working harder at this than they ever have. Last week, Hamilton Health Sciences Centre, one of the largest hospitals in our province, announced an end to the hiring of agency nurses. This is good news. It means more full-time nursing positions in Ontario.

**Mr Milloy:** I'm pleased that we're making progress on this file. Nevertheless, I'm concerned that the current financial situation plaguing the province may hamper further progress in this area. Can the minister tell the Legislature what assurances he's prepared to give nurses regarding our government's future commitment to the profession?

**Hon Mr Smitherman:** I send the message, not only to nurses but to Ontarians, that our commitment to hire more nurses in Ontario is essential to delivering on the promise of enhanced quality of health care in this province. Our government is committed to restoring the quality of public services in health care and education, and with respect to nursing.

Through the course of this year and the balance of our mandate, each and every year will be marked by continuous improvement on the file, as measured by the percentage of nurses who are working full-time and the number of nurses who are on the ward floors across this province, providing the care at the bedside that is so essential to enhanced quality of care. We've made early progress in our commitment to hire 8,000 more nurses in this province—800 are already funded and are beginning to be in place in our hospitals. We have more work to do. I look forward to future opportunities, coming very soon, to demonstrate the next steps of progress toward that goal.

1500

## AUTOMOBILE INSURANCE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Premier, you promised Ontario drivers a 10% to 20% reduction in their car insurance rates, but it's not happening. Your excuse is that you have regulated a so-called 10% rate reduction by insurance companies, but people won't see it until maybe the end of the year or next year. Now it turns out that that's not true either. State Farm Insurance, the third-largest car insurer in Ontario, has admitted today that they won't be reducing their rates by 10%. They won't be reducing them by 5%. They admit that your government has said it's OK for them to—

**The Speaker (Hon Alvin Curling):** Question?

**Mr Hampton:** —a 4.5% reduction. What's your excuse to the hundreds of thousands of drivers who are insured with State Farm who believed your promise of a 10% or 20% reduction and now find out it's only 4.5%?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** Minister of Finance.

**Hon Greg Sorbara (Minister of Finance):** I appreciate the question from my friend from Kenora-Rainy River and that he gave us notice of the question. I'm surprised he didn't take the opportunity to apologize for putting a question forward yesterday based on information that he knew was wrong. But we'll leave that for another day.

**Mr Hampton:** On a point of order, Mr Speaker: There was nothing in that question yesterday that was false.

*Interjections.*

**The Speaker:** Order. That's not a point of order.

**Mr John R. Baird (Nepean-Carleton):** Point of order—a separate point of order, Speaker.

**The Speaker:** That's not a point of order.

**Mr Baird:** It's a different point of order. The Minister of Finance, in response to the member for Kenora-Rainy River, said the member for Kenora-Rainy River put forward information which he knew was false. That is clearly unparliamentary. I would ask that you address that.

**The Speaker:** That is not a point of order. Minister of Finance.

**Hon Gregory Sorbara:** We're dealing today with the issue of State Farm. Let's look at what happened with this company over the course of the past four years. In 2001, they were given a rate increase of 5.1%; in 2002, under the Conservative government, they were given a rate increase—hold your breath, sir—of 24.8%; and in 2003, a rate increase of 7.5%. For the first time in four years, their rates will go down. On average rates will go down in this province by 10%.

**Mr Hampton:** Talk about people who are giving out false information. I heard the Premier say that people would get at least a 10% to 20% rate reduction. All the people of Ontario heard that. Now we find out that State Farm, the third-largest auto insurance company in Ontario, which insures hundreds of thousands of people, is not going to give a 20% rate reduction. They're not going to give a 10% rate reduction. Your government has approved them for only a 4.5% rate reduction. I ask the Premier: What are you going to do about your false information? You promised a 10% or 20% reduction. Hundreds of thousands of drivers across this province aren't going to get it. What are you going to do about the false information you've been putting out?

**Hon Mr Sorbara:** Already, hundreds of thousands of drivers, including William—

**Interjection:** Name one.

**Hon Mr Sorbara:** You said, "Name one"? What about William Botting of Burlington. Last year, he paid \$910 for his automobile insurance. This year—he has just recently renewed—as a result of our reforms, he is now paying \$818, about 10% less. I want to tell my friend from Kenora-Rainy River that when he has the courage to correct the information that he brought to this House yesterday, his questions may be taken somewhat more seriously.

## ONTARIO BUDGET

**Mr John R. Baird (Nepean-Carleton):** I have a copy of the Canadian Taxpayers Federation magazine with your picture on the cover, and the article inside says: "McGuinty seems to understand. In order to be elected in Ontario, a political leader must make respecting taxpayers and balancing the budget the top priority."

There's a lead editorial quote from the *Globe and Mail* published here. It says: "The Liberal leader put his fiscal conservatism in writing ... scrawled his name under the [Taxpayer Protection Promise] ... In that one act, he confronted Ontarians' greatest concern about Ontario Liberal governments—the fear of fiscal bungling."

Premier, how can you break your promise to the Canadian Taxpayers Federation, and how can you break your promise to the people of the province of Ontario?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** Again, there's an important issue that weighs heavily on the minds of those people who are observing these kinds of things these days, which is this: Given that the previous government broke the law and failed to balance the budget, given that there

was in fact a \$5.6-billion deficit, and given that the same law says that as a minister of the cabinet you've got to forgo 25% of your income, the question I have for my friend is, is he prepared to give up that 25% of his income, given that he broke the law?

**Mr Baird:** I have news for you: You won the election. And I have another piece of news for you: There was a projected deficit when you entered office, and you increased spending by \$3 billion, you increased taxes by \$800 million and you got an extra \$2 billion in revenue you didn't expect. You, sir, could have governed Ontario with a budget surplus.

I want to call your attention to your campaign platform. You said, "As we enter the next provincial election, I will have three children in university and a fourth completing high school. I find it unacceptable that their generation may be so turned off by our political system that they will virtually abandon representative democracy." Will you not admit that you're now the poster child for political cynicism in Canada?

**Hon Mr McGuinty:** Let me take this opportunity to talk about what is so important to people on this side of the House and my colleagues sitting over on that side as well.

We are determined to improve the quality of public service for all Ontarians. We will, to the very best of our ability, in each and every instance, put the public interest ahead of personal interest, and our most important priorities remain health care and education. I'm talking about more nurses, more doctors and shorter waiting times. I'm talking about smaller classes, lead teachers and celebrating excellence when it comes to teaching in Ontario. Those things are important to us.

## ASSISTANCE TO DISABLED

**Mr Khalil Ramal (London-Fanshawe):** My question is for the Minister of Community and Social Services. I watched with excitement your announcement a few days ago that provides greater opportunity for people with disabilities. The Prime Minister said that the agreement reached between the federal and provincial governments would remove barriers and foster opportunities. You said that the agreement takes us one step closer to our goal of full inclusion of Ontarians with disabilities. The agreement deals with areas of access such as skills development, employers' readiness and various work supports. When will my constituents with disabilities be able to access that much-needed assistance?

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** That question from the member from London-Fanshawe is much appreciated. Many people in the London area will be able to see the benefits of an accord between the Ontario government and the federal government—a happy accord for a change.

I can't tell you how proud I was to be there with our Premier and the Prime Minister of Canada signing, which means additional millions of dollars, which this govern-

ment will match, for the use of employment supports for the disabled community here in Ontario: 18 programs across the province will stand to benefit from the additional funding.

If I may say, the flexibility of this new agreement really is a landmark, and we're very pleased to have been participating in such a plan.

**1510**

**Mr Ramal:** Minister, many employers know that people with disabilities are talented and enthusiastic and helpful team players. The problem for many businesses has been the cost that sometimes is incurred when hiring a disabled person. What assistance to small business will be available to them to help fulfill the promises of greater inclusion and expand opportunity for disabled persons?

**Hon Ms Pupatello:** I appreciate this supplementary question, as this member, a businessman himself, knows full well that in involving the private sector in government programs, it's essential to have a program agreement that is flexible enough to work with the private sector. The difference between this new agreement and the old allows us to include such things as wage subsidies to encourage the private sector to participate and seriously look at hiring people with disabilities—something they may not be in a position to do without this little bit of help from the program. We're very pleased to see that.

And we were very happy indeed to be at Famous Players for our signing—a company renowned in the community to be really world-class in taking individuals, hiring them and promoting them. So our hats go off to this company as well.

## HEALTH CARE

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Minister of Health and Long-Term Care. Despite the allegations from the member for Kitchener Centre, I would just say that our government invested almost \$400 million into nursing and created 12,000 new positions. I want to set the record straight.

Mr Minister, in a *Globe and Mail* article, you were quoted as saying in reference to Bill 8, "Accountability is a two-way street." Everyone agrees—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Would you allow the member from Kitchener-Waterloo to ask her question? Thank you.

**Mrs Witmer:** Minister, in a *Globe and Mail* article, in reference to Bill 8, you were quoted as saying, "Accountability is a two-way street." As you know, everyone does agree, but those people who are making presentations on the bill also agree that the bill as it is presently written does not ensure two-way accountability. It doesn't hold the government accountable.

I'd like to quote from Doris Grinspun's presentation, the Registered Nurses Association of Ontario, who said, "It would appear that accountability is a one-way street: from provider organizations to government, with no accountability envisioned from government to providers

and the public." I simply ask you, Minister, are you prepared to make amendments that would address the concerns of the nurses, as well as others, that would guarantee two-way accountability on the part of the government in Bill 8?

**Hon George Smitherman (Minister of Health and Long-Term Care):** Thank you very much. I might have thought that the member opposite would want to be fair and to offer comment including from Miss Flood, who said that she felt the accountability measures were headed in the right direction, or a quote from Roy Romanow: "Ontario's Bill 8 has some very important features that reinforce what we had in mind regarding accountability. It seems to me that Ontario wants to do the real work required to ensure medicare sustainability. And Premier McGuinty has played a key role in breaking the log jam that led to the creation of the Health Council of Canada."

The member well knows that my point of view on this is that we suffer from no shortage of accountability and that, in particular, the Ontario Health Quality Council will be an important tool in that regard.

I would just say that on a day when you're asking me a question like this, the member from Nepean-Carleton, on behalf of your party, suggested that we should have used all the federal health dollars to balance the budget instead of using those health dollars for what they were intended, which was to improve the quality of health care in the province of Ontario.

**Mrs Witmer:** I would share with the minister the fact that Roy Romanow also has indicated that you need to provide adequate, stable and predictable funding for our health care system. Regrettably, Bill 8 does not do that, nor does it improve accessibility to health care.

I ask you, are you prepared to make amendments such as those requested by the Ontario Hospital Association which would ensure the right to timely access to health care? Would you also acknowledge what the OMA, the Ontario Medical Association, has said: "This bill has nothing to do with improving accessibility since it ignores the real problems in the system: chronic underfunding and a lack of resources"?

Will you do what Roy Romanow says you should do: provide stable, adequate, predictable funding? That's the way we can improve accessibility.

**Hon Mr Smitherman:** I find it interesting that the member is referencing Roy Romanow without offering a direct quote and contradicting the member for Nepean-Carleton, who earlier today said that those new federal health dollars coming to Ontario for the purposes of enhancing the quality of health care should, instead, be spent diminishing it, and at the same time that she's calling for more and stable funding, this member is suggesting that the spending isn't necessary in health care.

With respect to the predictability of funding, our party in government is committed to following through on something that other parties have long promised and never delivered upon: offering to our partners, like hospitals, predictable and stable funding into the future

so that they can plan appropriately. That is the most important advance, and we're bringing it forward.

### PARK INFESTATION

**Mr Ernie Parsons (Prince Edward-Hastings):** My question is to the Minister of Natural Resources. I've been hearing from constituents on a regular basis about their concerns regarding the devastation caused by the huge cormorant population in Presqu'ile park. You recently posted on the Environmental Bill of Rights a proposal to cull cormorants as a means of controlling their population in the park. Have you made a decision whether you'll proceed with this much-needed strategy to ensure that the environment within our park is protected?

**Hon David Ramsay (Minister of Natural Resources):** I share the concerns raised by the member for Prince Edward-Hastings. Therefore, we will be proceeding with a limited cull this year in Presqu'ile Provincial Park. The Minister of the Environment has denied the request for an individual environmental assessment, as scientific evidence has proven that a prompt decision was necessary.

This action is being done to protect Presqu'ile Provincial Park. As a result of cormorant nesting and their waste, large numbers of these birds are destroying the park's inland wooded areas, and this is basically destroying the habitat of other water birds such as herons and egrets.

**Mr Parsons:** That's great news, except, I suppose, if you're a cormorant. I'm certain many of the residents in my community in eastern Ontario will be very pleased with your decision.

I would like to ask, however, whether you expect this to be an annual part of your cormorant management strategy.

**Hon Mr Ramsay:** I would say to the member that we are taking this very serious step because under the previous program we were not able to control this population.

We will continue, though, the more benign efforts of egg oiling and nest disturbance in order to try to manage this population. Part of what the Minister of the Environment has requested is that we have a scientific panel examine the results of this year's cull before we proceed with any future cull.

### FINANCEMENT DE L'ÉDUCATION EN FRANÇAIS

**M. Gilles Bisson (Timmins-Baie James):** Ma question est au premier ministre. Vous savez qu'il existe déjà une grosse iniquité, entre les conseils francophones et anglophones dans cette province, envers le financement. Vous savez, par exemple, que cette iniquité ajoute beaucoup aux problèmes ayant affaire, par exemple, aux salaires des professeurs francophones, qui sont au moins 5 000 \$ de moins. Quand ça vient à la programmation pour l'adaptation à la langue, il y a beaucoup moins d'argent dans les conseils francophones comparé aux

conseils anglophones. On sait que la programmation offerte aux jeunes d'un conseil anglophone est beaucoup plus haute et élevée dans les grades secondaires comparée à celle de leurs collègues dans le système franco-phone. Ma question est simplement celle-ci : vous avez promis que vous alliez adresser cette question quand vous formeriez le gouvernement. Est-ce que vous êtes préparé à verser les 100 \$ millions nécessaires pour corriger cette lacune dans votre budget le 18 mai?

**L'hon. Dalton McGuinty (premier ministre, ministre des Affaires intergouvernementales):** Je sais très bien que M<sup>me</sup> la ministre veut répondre à cette question.

**L'hon. Madeleine Meilleur (ministre de la Culture, ministre déléguée aux Affaires francophones):** Je crois que la réponse viendrait du ministre de l'Éducation.

1520

**L'hon. Gerard Kennedy (ministre de l'Éducation):** J'aimerais vous remercier pour cette question. Il est très important de—

#### *Interjections.*

**The Speaker (Hon Alvin Curling):** I think they can do that, to get a right answer. The Minister of Education. Order. We have two ministers who are prepared to give you the answer. That's a bonus. Is the minister of francophone affairs prepared to respond? Thank you.

**L'hon. M<sup>me</sup> Meilleur:** Monsieur le Président, comme vous le savez, lors du discours du trône, le premier ministre a annoncé qu'il y a un groupe de travail qui a été nommé pour revoir le problème en éducation et le financement des écoles françaises. Alors, lorsqu'on aura le rapport, je suis persuadée que le ministre de l'Éducation va bien prendre connaissance du rapport et agir en conséquence.

**M. Bisson:** C'est une journée très triste pour la communauté francophone quand un gouvernement ne peut pas répondre à une simple question de la part de la communauté francophone par notre ministre qui est déléguée au cabinet afin d'œuvrer pour la communauté francophone. Ce n'est pas une bonne journée.

La question qu'on vous a demandée est très simple. Vous avez fait une promesse à la communauté francophone. Est-ce qu'on peut s'attendre à ce que les 100 \$ millions que vous avez promis vont être dans le budget le 18 mai, oui ou non ?

**L'hon. M<sup>me</sup> Meilleur:** Je remercie mon collègue pour cette question et pour son intérêt envers les francophones de l'Ontario. On devra attendre le 18 mai pour voir ce qui sera dans le budget concernant l'éducation en français. Je lui rappelle qu'il y a un groupe d'étude qui est à revoir le problème de financement des écoles françaises. Alors, lorsqu'on recevra le rapport, le ministre de l'Éducation va agir en conséquence.

### AMBULANCE SERVICES

**Mr Tim Hudak (Erie-Lincoln):** A question to the Minister of Health and Long-Term Care, a follow-up to his answer yesterday to the member from Niagara Centre.

Mr Minister, you said the ambulance dispatch issue in Niagara was all about 30 days. In fact, that's not true. During the campaign, the Liberals said it would be transferred to Niagara immediately. We have now had three consecutive delays, a veritable hat trick of broken promises that would make Dalton McGuinty blush. Yesterday, in an answer full of machismo, you said you were going to walk the walk. Well, let's put it to the test and see if you walk the walk. If you don't hit the May 30 deadline, your third deadline, will you step down?

**Hon George Smitherman (Minister of Health and Long-Term Care):** The fact of the matter is that when we were in the middle of an election campaign, your party, which was then the government, had done an awful lot of work to disguise the reality of a \$5.6-billion deficit and a further \$2.2 billion worth of pressures.

With that reality in mind, this party in government is going to make the achievement of delivering on that promise, which requires our finding many tens of millions of dollars of new money. I can assure you that that task has been made more difficult by the fact that that party, while in government, disguised the realities of the fiscal situation in Ontario.

To the people of Niagara, and with those members of our party from Niagara in mind who are in government, we will deliver on this promise.

## PETITIONS

### HIGHWAY 407

**Mr John O'Toole (Durham):** I'm pleased to present a petition on behalf of my constituents in the riding of Durham. This was given to me by Mr Werry yesterday. There are quite a number here.

"To the Legislative Assembly of Ontario:

"Whereas the timely and efficient movement of people and products are crucial to the success of the Ontario economy;

"Whereas the province of Ontario is meeting the challenge of traffic congestion in the greater Toronto area by improvements to our highway networks and by improving public transportation;

"Whereas the construction of Highway 407 eastward into the Durham region, across Clarington to Highways 35/115, would improve the flow of traffic in Durham region and throughout the GTA;

"Whereas citizens and municipalities of Durham region have faced uncertainty over the final alignment of the proposed 407 highway for many years and are entitled to a timely resolution to this matter;

"Whereas CAAC (Clarington agricultural advisory committee) has expressed concerns and advocates for final construction completion of Highway 407 through Clarington connecting 35/115;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario take steps to fast-track the extension of Highway 407 eastward into the regional municipality of Durham, and that this commitment include the extension of Highway 407 through Clarington to connect with Highway 35/115, while ensuring that all the necessary environmental assessment and public consultations are followed."

The Minister of Transportation, Mr Takhar, is here. I sign this as my support of this petition here today.

## ONTARIO BUDGET

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I have a petition addressed to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the parliamentary tradition in Ontario of presenting annual budgets in the House of the Legislative Assembly has existed for decades; and

"Whereas the previous government in 2003 showed disrespect for our public institutions and the people of Ontario by presenting a budget inside a private, for-profit auto parts factory; and

"Whereas the Dalton McGuinty government and the current Minister of Finance will be presenting the 2004 budget inside the Legislature on May 18, 2004;

"We, the undersigned, petition the Legislative Assembly of Ontario to uphold parliamentary tradition and hold a public presentation and debate of the 2004 budget, and every budget thereafter, by our publicly elected members of Parliament inside the legislative chamber."

I have signed this petition, as I agree with it.

## ONTARIO DRUG BENEFIT PROGRAM

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to present a petition from seniors in Wellandport, Ontario, like Phyllis Reece and the Hawke family. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas during the election campaign the Dalton McGuinty Liberals said they would improve the Ontario drug benefit program but now are considering delisting drugs and imposing higher user fees; and

"Whereas the Liberal government has increased costs to seniors by taking away the seniors' property tax rebate and increased the price of hydro;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors' drug fees."

In support, my signature.

## SCHOOL CLOSURES

**Ms Deborah Matthews (London North Centre):** I am pleased to present a petition signed by over 1,000 people from my riding of London North Centre.

"Whereas:

"(a) the Thames Valley District School Board (TVDSB) has launched an accommodation study involving the possible closure of London's Northdale Public School in the Northridge subdivision upon the building of a new elementary school in the Stoney Creek subdivision;

"(b) the TVDSB's decision to close Northdale is based on cost effectiveness;

"(c) the Premier of Ontario, Dalton McGuinty, stated if school boards close ... under his watch, he wants the decision to be based on quality of education, not economics" according to the "London Free Press ...;"

"(d) the McGuinty government has put a moratorium on school closings until a fair funding formula is in place;

"(e) the quality of education at London's Northdale Public School far exceeds the provincial standards (grade 3s ranked at number two in the entire" school board);

"We, the undersigned, recognize the exceptional quality of education London's Northdale Public School provides and the significant value it has to the community, and hereby petition the Legislative Assembly of Ontario to request the TVDSB to explore all options to keep Northdale Public School open."

I'm happy to add my name to this petition.

**1530**

#### PROPERTY TAXATION

**Mr Gerry Martiniuk (Cambridge):** This is a petition from the good people of Cambridge.

"To the Legislative Assembly of Ontario:

"Whereas we are in disagreement with the tax burden put on trailer owners in seasonal parks;

"Whereas an unfair situation has arisen under the Assessment Act;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Please support extending regulation 390/03 so that it covers and protects me from taxation;

"Please support extending regulation 390/03 so that it covers and protects me from retroactive taxation."

I set my hand hereto.

#### ALEXANDER GRAHAM BELL PARKWAY

**Mr Kim Craitor (Niagara Falls):** I'm pleased to submit this petition to the Legislative Assembly of Ontario on behalf of my constituents from Niagara Falls.

"Whereas Alexander Graham Bell, renowned inventor of society-altering technological inventions, such as the telephone, greatly revolutionized the daily lives of people in Ontario, Canada and the world; and

"Whereas Alexander Graham Bell's contribution to science, technology and society as a whole were in part developed and tested while he lived in Brantford, Ontario; and

"Whereas Brantford lies at the heart of the section of Highway 403 which runs from Woodstock to Burlington;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To adopt and pass into law Dave Levac's private member's bill, Bill 44, the Alexander Graham Bell Parkway Act, renaming Highway 403 between Woodstock and Burlington as a tribute to this great inventor."

I'm pleased to affix my signature to this petition.

#### PROPERTY TAXATION

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I have a petition entitled "Stop Taxes from Driving Away Trailer Tourism."

"Whereas the Municipal Property Assessment Corp ... has begun inspecting all campgrounds in the province of Ontario and issuing retroactive assessment for recreational trailers; and

"Whereas, despite the fact the assessments are based on the permanence of individual trailer structures, taxes for individual trailer assessments are required to be paid by the campground owners, to be recouped from the actual trailer owners at a later date; and

"Whereas campground owners are not tax collectors and have no means to force trailer tenants to reimburse campgrounds for taxes paid on individual trailers; and

"Whereas campground owners will be forced to pass along any assessment costs that are not reimbursed to tenants through increased fees, with the potential to drive trailer tenants away and impact adversely on tourism in Ontario; and

"Whereas trailer owners do not receive regular garbage pickup and other services that property taxpayers expect in return for their payment; and

"Whereas government has failed to make clear the determining factors for assessment regarding the permanence of trailer structures;

"We, the undersigned, request the Legislative Assembly of Ontario to review the current trailer assessment process, eliminate retroactive assessments, communicate with campground owners to clarify assessment requirements and determine a fair structure for collection from individual tenants."

I affix my signature.

#### TENANT PROTECTION

**The Deputy Speaker (Mr Bruce Crozier):** The member for Danforth.

**Mr Tony Ruprecht (Davenport):** I think it's Davenport, but it's close enough.

**The Deputy Speaker:** Davenport. I owed you that from yesterday, you will recall.

**Mr Ruprecht:** I have a petition, signed by a few hundred tenants of some of the apartment buildings in Toronto, which reads as follows:

"Whereas the so-called 'Tenant Protection Act' of the defeated Harris-Eves Tories has allowed landlords to

increase rents well above the rate of inflation for new and old tenants alike;

“Whereas the Ontario Rental Housing Tribunal created by this act regularly awards major and permanent additional rent increases to landlords to pay for required one-time improvements and temporary increases in utility costs;

“Whereas the same act has given landlords wide-ranging powers to evict tenants;

“Whereas before last October’s election Premier McGuinty promised ‘real protection for tenants at all times’;

“Whereas our own MPP, Liberal Tony Ruprecht, called for a rent rollback ... at a public event in June 2003;

“We, the undersigned, residents of Doversquare Apartments in Toronto, petition the Parliament of Ontario as follows:

“To immediately scrap all Tory guideline and above-guideline increases for 2004, as an elementary gesture of goodwill towards tenants, who voted massively against the Tories in last October’s election.

“To shut down the notoriously pro-landlord Ontario Rental Housing Tribunal.

“To abrogate the Tory ‘Tenant Protection Act’ and to draw up new landlord-tenant legislation in consultation with tenants and housing rights campaigners.”

I sign my name to this petition, Mr Speaker.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Cameron Jackson (Burlington):** This petition is to the Legislative Assembly of Ontario.

“Whereas the Liberal government was elected after promising in their election platform that they were committed to improving the Ontario drug benefit program for seniors but are now considering delisting drugs and imposing user fees on seniors; and

“Whereas prescription drugs are not covered under the Canada Health Act unless dispensed in a hospital; and

“Whereas the federal Liberal government refuses to acknowledge this as a necessary health service despite the Romanow report’s strong support for a national drug program;

“We, the undersigned, petition the Legislative Assembly as follows:

“To immediately and unequivocally commit to end plans for the delisting of drugs for coverage under the Ontario drug benefit program;

“To immediately commit to ending plans to implement higher user fees for seniors and to improve the Ontario drug benefit plan so they can obtain necessary medications; and

“To instruct Premier McGuinty to demand more health care funding from Ottawa instead of demanding more funding from seniors.”

This has my signature of support.

#### EDUCATION FUNDING

**Mr Tim Peterson (Mississauga South):** I have a petition from over 2,000 members in Mississauga South that reads as follows:

“Whereas the Ministry of Education currently funds secondary students for 7.5 credits per year, which does not meet the needs of students and limits their ability to obtain a comprehensive and holistic education; and

“Whereas Mordechai Rozanski, in his report Investing in Public Education recommended ‘the Ministry of Education adjust the credit load factor in the funding formula’; and

“Whereas the Liberal Party of Ontario promised that, if elected, they would implement all of the Rozanski report;

“We, the undersigned, request by petition that the Parliament of Ontario fund school boards for the actual number of classes in which students are enrolled, starting in the school year 2004-05 and continuing on thereafter.”

I am pleased to table this petition.

#### LANDFILL

**Mr Garfield Dunlop (Simcoe North):** “To the Legislative Assembly of Ontario:

“Whereas the county of Simcoe proposes to construct a landfill at site 41 in the township of Tiny; and

“Whereas the county of Simcoe has received, over a period of time, the necessary approvals from the Ministry of the Environment to design and construct a landfill at site 41; and

“Whereas, as part of the landfill planning process, peer reviews of site 41 identified over 200 recommendations for improvements to the design, most of which are related to potential groundwater contamination; and

“Whereas the Minister of the Environment has on numerous occasions stated her passion for clean and safe water and the need for water source protection; and

“Whereas the Minister of the Environment has indicated her intention to introduce legislation on water source protection, which is a final and key recommendation to be implemented under Justice Dennis O’Connor’s report on the Walkerton inquiry; and

“Whereas the Minister of the Environment has announced expert panels that will make recommendations to the minister on water source protection legislation; and

“Whereas the Ministry of the Environment will now be responsible for policing nutrient management; and

“Whereas the citizens of Ontario will be expecting a standing committee of the Legislature to hold province-wide public hearings on water source protection legislation;

“We, the undersigned, call upon the government of Ontario and the Ministry of the Environment to immediately place a moratorium on the development of site 41 until the water source protection legislation is implemented in Ontario. We believe the legislation will

definitely affect the design of site 41 and the nearby water sources."

I'm proud to sign my name as well.

### PENSION PLANS

**Mr Peter Kormos (Niagara Centre):** I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas Stelpipe Ltd and Welland Pipe Ltd are currently operating under the protection of the Companies' Creditors Arrangement Act (CCAA), as part of the restructuring process being undertaken by Stelco Inc; and ....

"Whereas the pension benefits guarantee fund does not protect the entire amount of accrued pension benefits...."

The signers call upon the government to protect their pensions.

### PROPERTY TAXATION

**Mr Tony Ruprecht (Davenport):** I have one more petition here, which is very important and which is addressed to the Parliament of Ontario, the Premier of Ontario and the Minister of Finance. It reads as follows:

"We, the undersigned property owners and tenants, strongly oppose the current value assessment system in Ontario. The 2003 current value assessment system is too high and we will show strong resistance. There may be a tax revolt.

"We believe the municipal tax system should reflect the following principles: (1) Ability to pay should be a consideration; (2) property taxes should be related to services 100%; (3) homeowners should not be penalized for improving their properties; (4) dependence on the residential property tax to raise provincial and municipal revenues should be reduced; (5) the assessment system should be stable over a long period of time—10 years; (6) assessments should be objective, accurate, consistent, correct, equitable and easily understood—house sf class price; lot sf class price, garage sf class price; and (7) the owner should be authorized to approve the assessment."

Most of our funding has come from ratepayers groups and citizens across Ontario. I sign my name to this petition.

**The Deputy Speaker (Mr Bruce Crozier):** The time for petitions has expired.

1540

### OPPOSITION DAY

#### USER FEES

#### FRAIS D'UTILISATEUR

**Mr John R. Baird (Nepean-Carleton):** Be it resolved that the Legislative Assembly call upon the government,

To recognize that the Premier ruled out raising taxes over the course of the last election—just six short months ago by saying the following: "We will not raise taxes one cent on Ontario families,"

To recognize that Liberal caucus members—

**Mr Richard Patten (Ottawa Centre):** That's not a petition, Speaker.

**Mr Baird:** I'm reading an opposition day motion.

**Mr Patten:** I'm sorry; excuse me.

**Mr Baird:** You're excused. A veteran member like yourself, I'm shocked. I apologize.

To recognize that the Liberal caucus members over the last several years have consistently stood in opposition to user fees, and have publicly labelled user fees as "tax increases,"

And to recognize that the Premier has publicly insisted that user fees were recommended to him in his pre-budget hearings, but is unable to give the name of one, single person who actually asked for new user fees,

That the Legislative Assembly calls upon the McGuinty government to live by the promises made during the most important public consultation session—namely, the last election, and rule out any and all new and increased user fees in advance of the May 18 budget.

**The Deputy Speaker (Mr Bruce Crozier):** Mr Baird has moved opposition day number one. Mr Baird.

**Mr Baird:** It's certainly my pleasure to speak to this important resolution. This is a bigger issue than just taxes, than just borrowing against the public purse, than spending on important priorities and services for the people of Ontario. It's about the integrity of our electoral and democratic process. We have a democratic deficit in this country because some politicians will say anything to get elected. Some politicians will say one thing before the election and do another after the election. I will name 71 names of folks who did that in Ontario. And we wonder why there's cynicism among young people in politics today. It's because politicians, from coast to coast, around the world, lie to voters at election time.

**The Deputy Speaker:** Let's just start off on a good note. I frankly think that there's another way to express some of our views without using that word in the Legislature. I just wish the member would try to do that.

**Mr Baird:** People feel used, that people come to their door and promise them things to get their vote, and then after the election, change their mind.

I want to give a specific example. There were some parents of autistic children who visited this Legislature and who were disappointed that the previous government cut off children from receiving services when they went to school. They disagreed with that policy. Dalton McGuinty promised that, if elected, he would extend that full coverage for autistic children beyond the age of six. These parents were thrilled. They got out, they hustled for the Liberal Party, they voted Liberal across the province of Ontario—as the member for Nickel Belt can tell you. They supported the Liberal Party, and boy, are they angry. They feel that they were led down the garden path. They feel abused. One of the parents who's in fact

suing the government said, "At least you guys were honest. At least you guys gave us one story before the election, and it was the same story after the election." This resolution is incredibly important because it seeks to hold the government of the day accountable.

I want to read the taxpayer protection promise: "I, Dalton McGuinty, leader of the Liberal party of Ontario, promise, if my party is elected as the next government, I will not raise taxes or implement any new taxes without the explicit consent of Ontario voters and not run deficits. I promise to abide by the Taxpayer Protection and Balanced Budget Act."

Dalton McGuinty's signature is right on this document. No one put a gun to his head. No one forced him to do it, but he chose to make a solemn pledge to the province of Ontario. As I pointed out in question period, from a *Globe and Mail* editorial, this was the answer to the concerns that many taxpayers had that Liberals were wasteful and wild spenders, that they would run big deficits and that they would bring in big tax increases. They voted for them because they had some confidence that the Liberals would keep their word. Dalton McGuinty has broken faith with the people of the province of Ontario. He has not lived up to his campaign commitments. He has not lived up to his campaign commitments. He has not lived up to his campaign pledges. He has broken faith with working families in the province of Ontario.

I want to speak to the issue of the finances for the year, 2003-04. Yesterday, in the *Ottawa Citizen*, I wrote an op-ed piece. People say, "Was there a deficit last year, in last year's October election?" There was only six months of the fiscal year, so obviously there couldn't be a deficit because there were still six months—half of the year—left, but there is no doubt the province's finances were facing some big fiscal challenges. We had SARS, we had mad cow, we had the electricity blackout, that all took place after the budget, after the budget was presented. The members would have wanted to see how we would have balanced the budget. I'll tell them. First—

*Interjection.*

**Mr Baird:** I say to the member opposite, listen and I'll tell you. First, the Liberals did pocket \$1 billion from the federal government for health and SARS funding. We had \$771 million we had budgeted for as revenue, and then increased health care spending before we got the money, counting on Jean Chrétien to keep his word. To be fair, Jean Chrétien did keep his word. They got \$330 million for SARS that simply reimbursed the province for costs that they had already spent. So the revenue came—a billion dollars more for health.

Second, the Liberals have increased spending by \$3 billion since they got elected. Now, if you were afraid of having a deficit, the last thing you'd want to do is spend more money, but they did. Plus, they raised taxes. In the first three months alone they raised taxes by \$800 million. That's a lot of zeros. They could have applied that towards balancing the budget. They Liberals also had a \$2-billion contingency fund that was certified and was

verified to bring in a balanced budget in Ontario. They could have had a billion-dollar surplus, had they wanted to, but they didn't want to because they're playing games with the Ontario economy. I'll tell you, 25,000 people felt the wrath of this economic policy when they lost their jobs in March.

*Interjections.*

**Mr Baird:** I know that people think that this is a joke when people lose their jobs, and they want to hector and lecture these unemployed people, but they'd better not, because they're playing games with the fiscal reality of the province of Ontario. I've already explained how they could have balanced the budget if had they wanted to, but they are more committed with politically vilifying the former government than accepting their responsibility. That is a disgrace. They seek to change the subject.

They won the election. The Liberals won the election. Now they have to take responsibility for the promises that they made, but this is the way we were warned it would be, that a big-spending, wasteful Liberal government—first they tax and then they spend. A \$4.2-billion tax hike is more than Bob Rae spent. This government, these MPPs all campaigned like Mike Harris and now they're governing like Bob Rae. It's an absolute outrage to the hard-working people of the province of Ontario who expected more.

When politicians go door to door, they make promises. When I was Minister of Energy, we brought in laws for door-to-door hucksters who lie to people at the door, and we'd put them in jail if they'd repeat and do that.

*Interjections.*

**1550**

**The Deputy Speaker:** Order. Let's calm it down again. I asked the member about using that word, and I really would appreciate it if he would choose his words—you know, temperate language is the hallmark of good debate.

**Mr Baird:** Well, the hallmark of good government is people who keep their word. It's people who act honestly, who do what they said they would do, people who are honest, people who do not deceive, who do not scam, who do not con, who do not swindle, who do not hoax, and who do not cheat. That is the hallmark of honest debate. That's the hallmark of our parliamentary democracy. That's the hallmark that Dalton McGuinty said he would bring to government, and I'm not sure voters agree with that. I want to say that Conservatives and the Canadian Taxpayers Federation will not let you get away with that.

If I could call a page to deliver this, I'm going to send over to my friend the deputy government House leader—Liberals have no excuse to run a deficit—a copy of an op-ed piece that I wrote that will explain how he could have done it. I know he'll want to read that before he writes—

*Interjection.*

**Mr Baird:** It's not a matter of paying back a cheque. These Liberal cabinet ministers are breaking the law. They're committing an offence, and they're going to be

fined accordingly, like other people when they contravene the law. They're doing it in a premeditated way. They know they're going to break the law, and they're ploughing ahead to break the law. They're announcing that they are going to break the law. I think that for lawmakers to knowingly, in a premeditated fashion, break the law is simply outrageous.

I say to the member opposite, we're going to hold this group of people accountable. Taxpayers in Ontario will not forget. They will not forget the broken promises.

Frankly, what I think we need is legislation. We regulate door-to-door salespeople who retail natural gas and electricity to ensure that there are honest practices, to ensure that people aren't scammed, that people aren't conned, that they're not swindled, that they are not hoaxed or deceived. Perhaps that should be legislation with respect to all door-to-door activities, including those activities which happen in the course of a 28- or 29-day election campaign.

So this important resolution is going to be debated, and the seniors of Don Valley East are going to want to know whether their member supports user fees. They're going to want to know whether their member believes an increase in user fees is a new tax. They're going to want to know whether their vote on October 2 meant anything. They're going to have a chance to find out at 6 o'clock tonight, when their member will have a chance to vote.

I see my friend Gilles Bisson from the NDP is here. I disagree with the NDP. I think their approach is wrong and I think it has serious consequences. But at least he's honest. At least he doesn't say one thing before the election and do another thing after. We can have a debate with New Democrats, and it's an honest one.

*Interjection.*

**Mr Baird:** I can tell you, people in Ancaster, in Flamborough, in Aldershot and in Dundas want a member to stand up against increased taxes. If they don't get it from this member, they're going to get it after the next election campaign.

I'm going to tell you that since the Weimar Republic there hasn't been a single Liberal government that has been re-elected. We know why Liberal governments aren't re-elected: because they break their promises, they raise taxes, they increase spending, and the people of Ontario will not forget. Members like Toby Barrett, Garfield Dunlop and Norm Miller are going to ensure that these promise-breakers are held to account. We look forward to hearing other members stand in their place and represent their hard-working constituents to ensure that we get some honesty and integrity back in this place.

**Mr Mike Colle (Eglinton-Lawrence):** I was just speaking to a page who happens to be from the great riding of Eglinton-Lawrence, Natasha Persaud. It's an amazing history of the Persaud family. She's the third member of her family to be a page in this House. It's quite an accomplishment.

The Persauds, like a lot of people in Ontario, live by very modest means. They have an apartment just off Castlefield Avenue and Dufferin. They dedicate their

lives, like most Ontarians, to their children. They work hard, they save their nickels and dimes—and yes, nickels and dimes and toonies mean a lot to people—and they put that money aside so that they can take care of their children's education. It means a lot to the Persauds, it means a lot to ordinary Ontarians to also make sure they have that money aside so they can have good health care for their children, so that one day their children will be able to have good housing. So they want government to be like them. They want government to put money aside for basic essential services—not for hair-brained schemes like buying forests in Costa Rica like the NDP did. They want the government of Ontario to invest money in health care and education.

During the last election, when we went door to door, that's exactly what they said door to door. They said, "Listen, we don't want those hokey tax cut promises. We don't want those hokey NDP schemes. Just tell us you're going to put money into our schools, put the money into fixing our health care, and make sure our streets are well taken care of and our city's transit system works." That's all they asked. They said, "Those tax cut schemes of the last eight years have brought ruin to our community. They've brought ruin to the province of Ontario." They said, "Stop with those tax cut schemes."

That's what we've done. In fact, in one of the first bills we put through this House, Bill 2, which the NDP voted against, we said, "No money for private schools." The NDP said yes to private school money, and the Tories said yes to private school money. We also said no to further reckless corporate tax cuts. The NDP said yes to that again, sided with the Conservatives and said, "It's OK to give more corporate tax cuts."

We on this side and Premier McGuinty said, "We cannot afford more corporate tax cuts. We can't afford to fund private schools. We need the money for the basics Ontarians are depending upon." That's what the last election was about, and this motion today is all about misdirection, it's all about camouflage, it's all about changing the subject, because they don't want the people of Ontario to recall the havoc brought upon them by the previous government. They don't want to recall the most despicable act—talk about democracy. Probably the most despicable, antidemocratic act done in this House was bringing the budget to a car parts factory up in Aurora, where I think the second-wealthiest man in Canada lives. They brought it to his backyard. They took it out of this place.

So the opposition, the mover of this motion, is saying that we're the ones who should be questioned about our integrity and our respect for process? They brought the budget of this Legislature, for the first time in the history of all Western parliamentary Legislatures, whether it be England, even the United States—even George Bush. None of them ever thought of bringing the budget process to a car parts factory. That's what they did, and they're telling us, "Don't trust the Liberals." We say, "These are the guys who did the bogus Magna budget," where they denied that there was a \$5.6-billion deficit.

'And they tell us that we are not coming with the straightforward goods to the people of Ontario? To this day, if you ask one of them when they stand up, "Is there that deficit? Was it there?" they still deny the fact there is a \$5.6-billion deficit.

We find ourselves in a similar position. My good friend here who just passed an incredible piece of legislation about protecting children from being run over by reckless drivers who pass school buses, Pat Hoy, the member from Chatham-Kent Essex—that's the kind of legislation the people of Ontario want: Protect our children, protect our communities, protect our farms.

**1600**

I was referring to the member from Chatham-Kent Essex about farms because I was trying to figure out an analogy. The best analogy is, we came into government—it's like a person buying a farm. Imagine: You buy this farm from this person. It looks like a great farm. You get to the farm and the first thing you notice when you go into the barn is that the roof almost caves in on your head because nobody's been patching the holes in the roof for the last 10 years, so the barn roof is coming down on you. Then you say, "Oh, well, it's just the barn. We'll fix the barn."

Then you go into the farmhouse and check the farmhouse. "Well, this doesn't seem too bad." All of a sudden, boom: You fall through the floor. They hadn't been checking the termites that have been eating the foundation because they hadn't been taking care of the basics. Then you turn on the tap in the kitchen sink and the water is brown, and you say, "God, we can't drink that water." Then you go check the well and you find out the well is dry. You do a test of the well and the well's contaminated. That's what we got.

You go see the animals out in the field—and my colleague from Norfolk knows this—and the animals are all skin and bone. They haven't been feeding the animals. So the animals are malnourished; they're skin and bone. The roof's falling in in the barn. There's no plumbing inside the farmhouse. Lo and behold, you go through the deed again—you know, down Leamington way you've got to check the deed—and you find out that the sons of guns had a \$5.6-billion hidden mortgage on the property, a lien on it, that they hoodwinked you with some crooked so-and-so of a person.

This is what happened here in Ontario. We inherited a province that they claimed was in good shape. They swore up and down with their friends, the Canadian Taxpayers Federation, "Oh, trust us in this province; we're great financial managers." We find out that essentially we're on the verge of bankruptcy, because not only did they put this deficit of \$5.6 billion, they've been adding to the provincial debt. The provincial debt has been increased. If you include the hydro debt, it's almost \$140 billion of debt that they have on the books. Never mind the deficit; \$140 billion.

Do you know what it costs us to carry that deficit? It costs you, the taxpayers of Ontario, over \$10 billion a year in interest payments on their debt. Next to health

care and education, the third-largest bill we have in the province of Ontario is paying interest on the provincial debt. That's what they left us with. They tell us, "You're not holding up to your commitments."

They have the gall to say that we Liberals—when they added to the debt—and I just mentioned hydro, by the way. Then we find out they brought in these American consultants. They paid them \$40 million. They called them the "dream team." There were four guys who came in from Texas. They were supposed to be nuclear experts. The former Minister of Energy who's moving this motion was part of this. They brought in the four American super-consultants. Do you know what they paid them?

**Mr Michael A. Brown (Algoma-Manitoulin):** No, what did they pay them?

**Mr Colle:** Forty million dollars to fix the hydro problem at Pickering.

**Mr Brown:** Forty million?

**Mr Colle:** Forty million. Do you know what these four guys spent trying to fix Pickering? You'll never fathom the amount: \$3 billion. You pay them \$40 million. They took \$3 billion out of the back pockets of Ontario taxpayers. They were supposed to be watching them. This guy from Nepean-Carleton, who was supposed to be Minister of Energy, was the watchdog. He was the watchdog at Pickering, making sure—

**Mr John O'Toole (Durham):** On a point of order, Mr Speaker: I believe the member should be addressing his remarks through the Chair, respectfully.

**The Deputy Speaker:** The member's reminded of that. Thank you.

**Mr Colle:** Every time I mention the \$3-billion boondoggle at Pickering, they don't want me to mention it. They don't want me to talk about the dream team that spent 40 million of your dollars. As I said at the beginning, as I conclude, they don't want to talk about that; they want to change the channel, because the truth hurts. It hurts because we're paying for it in our schools, our hospitals, our cities, and then we're paying for it through the deficit they left us and this ballooning debt they left us that is really our children's future. That's why, on this side of the House, we're not going to let people forget what they did to this province and to the people of Ontario.

**Mr Norm Miller (Parry Sound-Muskoka):** I'm very pleased to join in the debate today. Just to remind those here what the debate is about, it's an opposition day motion. I shall read that:

"That the Legislative Assembly call upon the government,

"To recognize that the Premier ruled out raising taxes over the course of the last election, just six short months ago, by saying the following: 'We will not raise taxes one cent on Ontario families,'

"To recognize that Liberal caucus members over the last several years have consistently stood in opposition to user fees, and have publicly labelled user fees 'tax increases,'

"And to recognize that the Premier has publicly insisted that user fees were recommended to him in his pre-budget hearings, but is unable to give the name of one single person who actually asked for new user fees,

"That the Legislative Assembly calls upon the McGuinty government to live by the promises made during the most important public consultation session, namely, the last election, and rule out any and all new and increased user fees in advance of the May 18 budget."

I think it's important, in light of this motion, to bring up a very important document that Dalton McGuinty, the Premier, signed in the past election. I think it did play a pivotal part in terms of calming people's fears that a Liberal government would be a government that would spend a lot of money and not worry about the fiscal side of running a government. That was the taxpayer protection promise.

With great fanfare, the Premier signed the taxpayer protection promise: "I, Dalton McGuinty, leader of the Liberal Party of Ontario, promise, if my party is elected as the next government, that I will not raise taxes, or implement any new taxes, without the explicit consent of Ontario voters—and not run deficits. I promise to abide by the Taxpayer Protection and Balanced Budget Act." It's signed with the Premier's signature, and with a witness. It was a very public ceremony. I say that was very important in the past election.

I would have to ask the Premier, when he signs cheques, does the bank honour them? This signature does not seem to be carrying much weight, as the new government has gone through the process, repeatedly, of blaming the fact that they are planning on breaking this promise on the deficit.

I would remind those watching that the government has been in power six months now. They have had ample time to get the fiscal house of the province of Ontario in order. They have not made the tough decisions to work toward a balanced budget. They have, in fact, I think, planned on having a \$5.6-billion deficit, and are doing whatever they can to justify that.

During the election campaign, just six months ago, the now-Premier ruled out raising taxes. He said, "We will not raise taxes one cent on Ontario families." It was one of the pillars of their platform. Through the past many years, many of the same Liberal members who sat on the other side of this House consistently referred to user fees as tax increases, saying they were essentially the same.

On September 2, 1997, the now-Minister of Community and Social Services stated, "You can call them taxes or you can call them user fees." She goes on to say, "Let's look at some examples of ministries that have actually implemented significant user fees right across the board in Ontario—lots of ways to tax people. Here's a very hidden way that you've managed to tax people."

On September 25, 1997, the now-Minister of Energy stated, "The income taxpayer is the same as the property taxpayer and the same as the person who pays user fees. We intend to work with those property taxpayers and those people who are paying user fees to say no to your

tomfoolery and restore a sense of order and decency to this province."

Government members have made the connection between user fees and tax increases very clear. Now these same people are talking about the possibilities of increasing user fees in the next budget. They said they wouldn't raise taxes, they said that user fees were the equivalent of a tax increase, and now they want to increase user fees. Therefore, according to their own logic, the government is, in fact, proposing to increase taxes. This is clearly a very substantial broken election promise.

They were elected on a platform of which no increased taxes were a major part. Now they are breaking that promise. This is a matter of accountability; a matter of voters knowing what they're voting for. This is what is at the root of why people don't vote: because they think that politicians will just say one thing to get elected and then, once they're elected, they do something very different.

#### 1610

In leading up to justifying what, I think, on May 18 will be a budget that does not balance—and who knows how long they're going to continue that—the government went through a consultation process, where they spent at least \$200,000 of the taxpayers' money to consult with 250 people across the province. They were nicely orchestrated consultations that I think were just geared to justifying how they can run a deficit. Really, in those consultations they only asked four questions, and I think they missed some questions. "Four Possible Approaches to Meeting Government's Priorities: change the way government delivers services; concentrate on core priorities; raise additional revenues; and foster conservation and sustainability of resources."

Those were the options. There was nothing in there about controlling spending.

They didn't ask people of the north. A quote from the North Bay Nugget:

#### "More Budget Input Needed."

"A \$200,000 report commissioned by the Liberals reiterates what Premier Dalton McGuinty has been hinting at for several weeks—prepare to pay higher fines, user fees and perhaps, taxes on lottery winnings...."

"Critics were quick to pounce on the report, noting people polled weren't given alternatives, such as a deficit-reduction platform based on ideas from the two opposition parties.

"In fact, critics pointed out the report looked very much like the Liberal election platform...."

"Another supported option, according to the study, is higher fees for things like fishing licences. Those polled must have been in high rise buildings in downtown Toronto and buy their fish at the local market, convinced they're manufactured at a factory somewhere."

"Nobody in northern Ontario could have been included in the poll...."

"It seems that part of the report was simply a bail-out option to help the Liberals avoid tough decisions such as

selling assets, cutting government services and tightening the provincial belt....

"The reality is McGuinty shouldn't use this report, hardly worth the \$200,000 spent, to walk away from tough decisions."

And it's those tough decisions that I believe the government has got to make. They have not been willing, in the first six months of governing, to make those tough decisions.

This week, in my local paper, the Parry Sound North Star, there was an excellent article about the spending habits of the government: "Liberals Are Spendaholics."

"Since taking office a scant six months ago, Liberal Premier Dalton McGuinty has made spending announcements totalling over \$2.5 billion....

"Sadly, spendaholic governments can find endless ways to guzzle taxpayers' green. Let's face it, it is easier to spend more than act responsibly and balance the budget. But like too many rounds of drinks the night before, the next morning everyone wakes up with a hang-over—and when government goes on a bender, it's taxpayers who pay the price." And I'm afraid the government has been going on a bender the last six months.

"Reinvention and prioritizing are what's required to get Ontario back on its fiscal feet. Premier McGuinty needs to break his government's spending addiction once and for all," and I certainly agree with that.

The Premier also needs to keep his promise, which was so clearly outlined in the election last October. He needs to keep that promise, and that's what I would like to see him do.

**Mr Gilles Bisson (Timmins-James Bay):** Wow. Thank you very much, Mr Speaker. I was just looking at the time on the clock.

I want to rise in support of this motion, and I want to tell you why for a couple of reasons. I think it was sort of touched on—well, it wasn't sort of touched on, it was very directly touched on by the two previous speakers from the Conservative caucus. That is, we understand that there's a certain cynicism amongst voters, not only in this province—probably a little bit more so today than it was before—but there's certainly some cynicism within voters across North America, and specifically in our jurisdiction of Canada.

I think we have to understand why voters have a certain cynicism when it comes to politicians. I think one of the issues is people want to be able to take us at our word. People want to know that during an election time when people come knocking at their door from whatever political party it might be, and when they see the party leaders and debates and they watch the advertising on TV and listen to it on the radio and read it in the paper and they get the leaflet at the door, what people are running on is basically what they're going to do when they get elected. If there's a cynicism in this province, and if there is this motion in the House today, it is greatly because this government has decided to basically do the opposite of what they talked about doing in the election, both by way of their platform and by way of their words and many examples.

We know, for example—and I'm just going to raise a couple of them.

We know, for example that the government ran, prior to the election and during the election, on the promise of stopping development on the Oak Ridges moraine. The ballot boxes weren't even cold, and Mr McGuinty and his Minister of Municipal Affairs basically reneged on the promise to the people of Oak Ridges who voted for them on the basis of stopping development on the Oak Ridges moraine.

We ask ourselves, "Why are voters cynical?" If I were one of those voters, one of those people affected by what was happening with development on the Oak Ridges moraine, and I was out shopping for a candidate and a party to champion my cause, and I supported and voted for the Liberals by way of just voting, by way of sending a cheque to support a local campaign or by going to work on somebody's local campaign, I would be not only cynical but, quite frankly, angry for having seen a party purport that they're going to stop development on the Oak Ridges moraine and do the opposite the minute after they're elected.

There are other examples. We know that the government promised to reduce auto insurance premiums by at least 10% to 20%. In the communities I represent in the riding of Timmins-James Bay, that was the number one issue in the campaign, followed by public power. The number one issue for me in the last election, other than hydro, was what people were paying when it came to exorbitant rates for auto insurance. I campaigned and said that if I was elected to government, what we needed to do was to move to public auto.

We have learned a lesson as New Democrats. I want to say to my good friend Mr Brown that we have learned a very valuable lesson, having been in government before. It is something that we had committed to do that we didn't do, and the voters punished us. They said: "You didn't deliver on auto insurance; off to the penalty box you go." Rightfully so. We learned something out of that as New Democrats. We've said: "Let's be very careful about what we say in an election campaign and leading up to a campaign when we're making promises and commitments to voters." I was very conscious in the election of 2003 that auto insurance was an issue, and I was very cognizant of the fact if I promised that we were going to do public auto, we had to do it.

Instead, this government said, "Oh, auto insurance is an issue in some parts of Ontario, so we have to be on the auto insurance kick, too," so they promised the people of Ontario that they were going to reduce auto insurance from 10% to 20%. We all saw it. My good friend Mr Bartolucci from Sudbury has constituents in his riding who are jumping mad about how much they have to pay for auto insurance. I would be willing to guess that not a member in this assembly hasn't had somebody come into their constituency office since they were elected to this Legislature on October 2, 2003, with a problem with auto insurance, as far as rising rates.

A lot of voters said: "You know what? I'm going to vote for Dalton McGuinty because he's got a chance of

being elected as Premier and he's speaking about reducing auto insurance rates, not on average for the whole population, but my auto insurance rate by 10% to 20%." What did we get? The government gets elected. Mr McGuinty takes power, and he appoints Mr Sorbara as the Minister of Finance. They are wonderful gentlemen; I have great respect for those two gentlemen. I've served in the Legislature many years with them. But the basic problem is they broke their promise. They said in the election that they were going to reduce auto insurance rates. I've got all kinds of examples of people coming into my constituency office, as we see across this province, when it comes to auto insurance rates going through the roof, not being reduced by 10% and 20%, but increasing by 20% and 25%.

My leader raised the issue of State Farm today, the third-largest auto insurer in Ontario, who are saying that they're going to reduce rates by only 4%. I have examples of people who are insured with State Farm, who have had no driving convictions since their last insurance renewal the year before, who have no difference in circumstance when it comes to who's driving the car or the kind of car they're driving, and their auto insurance is going up. The public is saying, "Hey, you promised you were going to reduce auto insurance by 10% to 20%, and here we finding ourselves paying more."

As I said at the beginning, we wonder why voters are cynical? I happened to be in Hamilton yesterday. We all know there's a by-election there. I thought I'd give my good friend Andrea Horwath a bit of a hand by going out to knock on doors yesterday afternoon. It was a wonderful sunny afternoon, and I thought it was a good thing to be doing. I went out and knocked on doors, and I was astounded, because I expected to walk into that riding and find a bit of a mix. People have been telling me: "Andrea's going to win. She's doing well." I don't believe that until I go to a doorstep and really get a sense, so I canvassed two polls yesterday. I was astounded. Of the two issues, number one was broken promises. I got that at more doors in the Hamilton riding that was served by Mr Agostino than any other issue that was raised at the door. I wouldn't say it was raised at every door, but when people said they were upset it was on the issue that Dalton McGuinty said he was going to do something about, and he did completely the opposite when it came to what he promised during the election. People said to me at the doors in Hamilton, "I am voting for Andrea Horwath and New Democrats because I believe that Liberals can't be trusted at their word, and we need to send a message to the people at Queen's Park that they've got to keep their word."

1620

The second issue that was raised, and it's a bit of an inside baseball issue for some but for the people of Hamilton a very important issue, is this whole approach to nomination. Remember, Paul Martin ran and said, "When I am running for leadership, I'm going to have a clear, open, transparent process where people who want to run for office are going to have to run and they're

going to have to go for the nominations." So what he does is, he—I couldn't say that word; it wouldn't be nice. He was not very fair with Mrs Copps. I would only put it that way.

*Interjection.*

**Mr Bisson:** We nominate everywhere. So federally we have Mrs Copps, who basically got put in the position where Mr Martin decided that he wanted to have another candidate win that particular nomination, and she got pushed out. Then they closed the nomination process and didn't allow other people who were interested in running under the Liberal flag an opportunity to run for nomination in that particular by-election. That was the second issue I raised.

Do you know what other issue was raised? Members might be somewhat surprised. Listen to this. I was a little bit surprised at the other one. The other issue that was raised on at least two doorsteps was the whole issue of what happens with kids with autism. I was a little taken aback. I went to one door where a woman, who has two children—I wish I could remember her name; I can't remember it offhand. I think she lives on Tuxedo Avenue, if I remember correctly. The woman basically said to me, "I voted for Dominic Agostino and Mr McGuinty in the last election because they promised that they were going to put an end to the discrimination against children with autism." She said, "My child is now seven and a half years old. He has basically been withdrawn from services when it comes to autism. I have to pay out of my own pocket the dollars necessary to be able to give my child the support he needs. I'm a single mother. I barely can afford it. I can't maintain my house. I can't buy the clothes that I need to buy for my children. We have to skimp and save to provide for this child." She said, "I remember that I raised this issue in the last provincial election, and I was told by the Liberal candidate, and it was repeated by Dalton McGuinty, that he would fund the issue of autism for children over six years old."

I want to be really specific to this, because to me this is one of those broken promises that shouldn't be broken. In the grand scheme of things, for the amount of money it's going to cost us to fund kids in need of autism services, it ain't going to break the Ontario bank. It's not going to bust our bank account.

I want to remind you what Mr McGuinty said on September 17 during the election. This was pointed out to me by two people, both with kids with autism, as I was knocking on doors yesterday. So this is not an issue that affects just a few people; it affects far more people than you realize. He said, "I also believe that the lack of government funding of IBI treatment for autistic children over six is unfair and discriminatory. The Ontario Liberals support extending autism treatment beyond the age of six." That particular woman said, "I voted Liberal in the last election and, I'm telling you, I'm going to vote for Andrea Horwath and the New Democrats because it is the NDP that have been consistently raising this issue, and the Liberals who promised it are not moving on that

promise. If I can send one message to Dalton McGuinty, it's: 'I'm upset with what this has done to my child, with what this has done to my family and the position you put us in as parents with autistic kids and what it means to those children.'"

Why are there people who are cynical when it comes to politics? I say it's exactly for that reason. They want to know that if you're going to run and you're going to put your word on the pamphlet about whatever it is you're promising, you're going to move forward.

Let me go to the Conservatives for a second. I took great exception to 95% of what the Conservatives did. I don't agree. I think what they did was darned right destructive. But I'm going to give Mike Harris credit for one thing: He ran in the 1995 election on a platform that I didn't agree with. He was basically going to trounce on poor people. He was going to cut people's welfare rates. He was going to do a whole bunch of things that I thought were absolutely wrong. The one thing he got credit for, and I believe it's the reason he got a second term, is that he did what he said he was going to do.

What ends up happening is that the voters of Ontario—not necessarily because they were enamoured with what Mike Harris had done; I think it's pretty clear that in the last election they weren't very enamoured with what Mike Harris had done; I think it's pretty clear in the last election that they weren't very enamoured. Quite frankly, many of the policies—90% of them—that the Tories put in place, it turned out they weren't very successful. For example, our schools are lacking now when it comes to funding and being able to deal with the needs of children, our hospitals are falling behind, road infrastructure is falling behind, and our municipal tax system is a shambles. I think most people started to realize that what Mike Harris did was kind of silly and it didn't work very well and a lot of times was hurtful. But my point is this: He got a second term.

It frustrated me no end, as it did many people in this province, when he was re-elected to a second term. I said, "How can anybody vote a second time for a government that has done the things that he did?" It came down to a very simple thing. Most people don't understand the details of politics. They don't understand the end result of what we do. All they know is, if you say something, you may as well do it, and that's what Harris did. Where I think Eves got in trouble is that he changed that image to a great extent. You really didn't know what side of the fence Mr Eves sat on when it came to a number of his positions, on hydro and other issues. I think that was also part of the reason why they were defeated.

I say to the government, I'm going to support this particular motion. Why? Because I think, quite frankly, the Tories are right. You guys ran on a bunch of promises, you said that you were going to deliver on those promises, and you have not done—

#### *Interjections.*

**Mr Bisson:** You had about 235 promises, if I remember correctly. But anyway, the point is that you didn't deliver on those key commitments that you said you were going to deliver on.

I want to speak to the MPAC issue—for people who don't understand what that's all about, the Municipal Property Assessment Corp. We're probably getting this in most of our ridings. I know we're certainly getting it in northern Ontario. I was talking to members from rural Ontario who were getting this as well, and that is the mess that has been created in the municipal property assessment area by changes that were done by the previous Tory government. As this is a Tory motion, I'm going to take a liberty in order to talk about something that is of great concern to the people of my riding when it comes to municipal property assessment.

Here's what happened. The provincial government did a couple of things. They changed the assessment laws, which, in my view, greatly added to this problem. When they made the changes to the assessment laws—we had to come back, I believe, with four or five amendments to the bill, different pieces of the legislation. They never got it right. They changed the way we do assessment. They got rid of provincial assessors, put them into this new agency and got rid of about half of the staff that was there. But more importantly, in the new way that they assessed, they physically don't go to the house the way they used to before. There used to be a time when the way they'd figure out your assessment was to have an assessor come by and check out the property to see if there were any differences and if there was a need to make a change to assessment. Nowadays what they're doing is they take the sale of a house in the neighbourhood and they say, "Oh, OK. House at 248 Middleton Avenue," let's say, Timmins, "is on the rolls as being valued at \$100,000. Mr Bisson, who sold his house, got lucky and sold it for \$115,000. So therefore, there's a 15% increase in property value in that neighbourhood." Everybody's assessment goes up by 15%. If I'm the only house that was sold in my particular neighbourhood, that counts for the purposes of assessment.

The reality in communities across the province is that there are all kinds of examples where houses are sold way under value or way over value. I've got opposite examples of where people sold their houses because of depressed markets and ended up selling for a lot less than it was originally registered for within the Municipal Property Assessment Corp. The problem being in towns like Kapuskasing, places like—it was the same problem in Moonbeam, same problem in Smooth Rock Falls. I know we're going through a huge fight in Schumacher right now, which I'll talk about later. What happened there is, because of house sales in certain parts of neighbourhoods, they modelled this thing in the computer, and as a result, they ended up over-assessing about—I forget what the number was; it was like 800 or 900 houses in a community of less than 10,000 people. So as a result, with good co-operation from the Municipal Property Assessment Corp—and I want to give credit to Darryl Bender, who runs the place. We had community town hall meetings; property owners got a chance to go and air their grievances. They went back and redid the assessments, and lo and behold, the assessments went

down. Now here we are with this problem in Schumacher, where we're having the opposite effect. The assessors have gone in and decided to increase the value on the property, and now people are jumping mad.

I'm just saying, if there's an issue that this government could deal on, it's trying to resolve the problems we're having with the Municipal Property Assessment Corp, because what has happened to assessment in this province is, quite frankly, pretty deplorable.

**1630**

I want to say to my friends in the Liberal caucus—and I know I have a few left after this speech, a good friend over here, I'm sure; I'm being very timid and mild today—that you're judged by your word. There will be another provincial election in four years' time, and people are going to judge you on your deeds, but also on your having kept your commitments and promises. I've got to say, from what I can see so far from my vantage point in the opposition, that you are not doing very well when it comes to keeping your promises. For every promise kept, you've got about nine broken.

So in baseball, you've got a pretty bad batting average. Most teams just usher you out to the juniors. You're in the big leagues now. We're asking you to do what you said you were going to do. Keep your commitment, keep your word, because at the end of the day, when you don't keep your word and you break your promises, it's not just Liberals who are affected by this; all of us politicians are seen in the same way. I don't know about you, but I love what I do. I think it's valued work that we do as representatives in this Legislature. I don't think it serves any of us well as parliamentarians or anybody well in the public when you have governments that go out and break their word.

Je veux soutenir cette motion. Je pense que le Parti conservateur est parfaitement bien dans son approche. Une des responsabilités du gouvernement est de garder les engagements qu'ils ont donnés dans la dernière élection. Ces engagements ont été clairs : 235 promesses. On dit au gouvernement très simplement, « Vous avez fait les élections. Vous avez donné vos promesses. Le monde vous a donné la confiance d'un mandat. Ce qu'on vous dit est très simple : gardez vos promesses. Gardez vos engagements avec le monde à qui vous avez fait ces promesses dans la dernière élection. Si vous faites ça, vous aurez probablement une chance. Sans ça, vous êtes fichu. »

À la fin de la journée, les électeurs vont se rappeler que vous êtes le gouvernement qui ne garde pas ses promesses. En faisant ça, je pense que la population ontarienne va être très claire dans sa prononciation contre ce gouvernement libéral dans la prochaine élection. Ce qui est clair, c'est qu'on voit déjà Hamilton, où il y aura une élection partielle, et on attend très clairement cette porte. C'est un gouvernement qui ne garde pas ses promesses; il faut voter pour M<sup>me</sup> Andrea Horwath à Hamilton pour s'assurer qu'il y a quelqu'un pour garder ses promesses et travailler fort pour la communauté de Hamilton.

**Mr Brad Duguid (Scarborough Centre):** Today we're here to debate an opposition motion that in a roundabout way is trying to provide advice to the government on the upcoming budget, an odd type of motion when you look at it, considering the fact that this advice is coming from a political party whose lack of confidence on fiscal issues has left most Ontarians in a state of shock.

This is advice coming from a political party that went into the last election hiding under a cloak of darkness of a \$5.6-billion deficit. This is advice from a political party that had a reputation at one time of being relatively fiscally responsible, which wasn't deserved, because they added \$32 billion to our debt in the time that they were in office.

**Mr Lorenzo Berardinetti (Scarborough Southwest):** Shameful.

**Mr Duguid:** They should be ashamed.

On top of the \$5.6-billion deficit, we all know that they also were hiding other deficits of over \$2 billion in places like hospitals, the children's aid societies and other agencies of the government.

This previous government worshipped at the altar of tax cuts, and they sucked so much revenue out of this province that they've taken away our ability to be a financially strong province. They've taken away our ability to be sustainable as a province. But they're offering us advice nonetheless, and I think we should be looking at their record as we assess that advice to see how credible it is.

This is a government that downloaded hundreds of millions of dollars on to the backs of our municipalities. Today we have before us a motion that suggests we should rule out all new and increased user fees, as if they have an aversion to user fees. What did those municipalities have to do when this government downloaded hundreds of millions of dollars on to them? They had to start increasing user fees, they had to start increasing property taxes, because they had no choice. They weren't doing that just to provide good services and maintain their level of services. They were doing that just to keep their heads above water because of all the downloading that this government had done on them.

**Mr Berardinetti:** Shameful.

**Mr Duguid:** It was shameful. It was absolutely shameful.

They had to pay more for social assistance, they had to pay more for shelters and they had to pay more for transit. They had to find other ways to do this, and they're still struggling. We're trying to work with them as best we can, as a government stuck with the financial situation they placed us in.

This advice is coming to us from a government that left office with OPG, Ontario Power Generation, in complete disarray. Now we're seeing scandal after scandal emerging from those years. We're seeing political hacks being paid millions of dollars. We're seeing billions in overpayments, billions of dollars of over-budgeting for projects in places like Pickering, \$40 million spent on the so-called dream team. What did that get us? It got us an

energy plan that is absolutely unsustainable right now. Thank goodness we were elected last October to get this problem cleaned up. Thank goodness we have a minister who understands that some tough decisions have to be made on the energy file, and we're going to proceed proudly to make those changes.

We're getting advice from a political party that during their days in office passed with great fanfare a Taxpayer Protection Act that they broke themselves when they were in office. Since the Conservatives left Ontario with a massive deficit, should we not be asking the ministers who were in that government, who knew there was a \$5.6-billion deficit, who were hiding that \$5.6-billion deficit from us and the public, to pay back 25% of their salaries? I think we should. I think they should be doing that. According to the act, the party that introduces a deficit budget must pay the fine. Well, they introduced the Magna budget, and we know there was a deficit in that budget. It turns out, according to the Provincial Auditor, that there was a \$5.6-billion deficit.

We're taking advice from a party that so despised low-income Ontarians that they failed to increase the minimum wage for them, a party that starved public education, forcing boards to introduce user fees for school facilities. This has impacted all our communities: Girl Guides, Scouts, community groups, seniors who want to use schools. Right now, many of these schools are sitting in our communities. Our youth need a place to go. Our youth need a place for recreation programs. But the user fees that came in because of their education funding formula, because of the way they starved the education system—our boards of education were forced to increase those user fees, making the centrepieces of our community almost unusable to our children. It's unfathomable.

We're getting advice from a political party that talks about opposing user fees. But when they were in office, they raised user fees in an almost unprecedented manner. In September 1999, the Tories raised many user fees associated with owning and operating bingo halls. In the year 2000, the Tories raised to \$360 the fee for incorporating an Ontario company under the Business Corporations Act. In December 2001, the Tories raised to \$50 the fees for delayed birth registration. They also raised several fees associated with owning and operating you-brew businesses. In addition, in the area of transportation, they brought in a dollar fee for using automated licensing kiosks. For the driver's handbook, which used to be free to all our drivers, they brought in a fee of \$7.95. In 2000, they thought, "That's not enough. It should be \$12.95." Here's a party now telling us they have an aversion to user fees that raised user fees every chance they got when they were in office.

I don't think we should listen to their advice. I think there are other parties we should be turning to for advice, and that's what we're doing in thinking about this budget, with our unprecedented consultation with the people we really should be listening to, the people of Ontario. We've gone from city to city, town to town, community to community across this province with our budget hearings, listening to the people of this province

for advice. We've listened to the civil servants at all levels of government, because they really know what's going on around here, not like the previous government.

I'm pleased to stand and tell the members opposite that we will not be taking their advice on the budget. Their advice lacks credibility in the extreme. We will be taking the advice of the residents of Ontario. I can't wait for the Minister of Finance to come forward with this budget, because I know it's going to reflect that advice.

1640

**The Deputy Speaker:** Further debate?

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I certainly stand today in support of the motion to have the McGuinty government live up to its promises—promises to rule out any and all new and increased user fees in advance of the budget on May 18.

I'd first like to point out that no matter what you call it—a user fee, a tax increase, a levy, tax-cut rescinding or deferral—it really all means the same thing: You're taking more money out of more people's pockets across the province.

I want to point out that, sadly, it's already too late for the McGuinty government to truly live up to previously broken promises, as we saw Premier McGuinty tell Ontario farmers, seniors, small business people, parents. We all heard Mr McGuinty tell the people of Ontario—and we've heard this before today—"I won't cut your taxes, but I won't raise them either," again and again on television in the month leading to the election. Many people believed Mr McGuinty then; now, with good reason, they're hanging on to their wallets.

That includes people in Hamilton East. That particular riding has been mentioned more than once today. People are disillusioned. Regrettably, when I knock on doors, they're disillusioned with politicians in general, and more specifically, they have figured out what's going on. They're disillusioned with politicians breaking promises. I'm very pleased that someone like Tara Crugnale, our PC candidate, is there to explain to people. She will help us hold Premier McGuinty to account on these broken promises.

I know that a fellow named Dennis McDonald from Brantford heard the Liberal promises. In fact, he's written a letter to the Brantford Expositor that I would like to quote in part. He writes, "We'll remember broken promises." He goes on to say: "The Liberals made all the right promises and guarantees, and the people believed them. However, the Liberals have already broken just about every one that comes to the table since they took office."

He goes on: "I am so tired of the lies and cry-baby answers the Liberals give every time they get caught. You know what I mean: 'It's not our fault; the PCs left us a \$5-billion deficit.' And my favourite, 'The NDP or PC government made the same mistake last year or five years ago.'" Again, I'm quoting from this letter:

"The Liberals just don't get it. It is not what was left or what the PC or NDP did. It's time to go on and help the people, not take more out of their pockets.

"I have come to the conclusion that the Liberal Party thinks the people of Ontario have really bad memories."

"If the Liberals think they can take millions out of our pockets now and come back just before an election and give us back a few dollars and get our vote ... I believe they're dead wrong."

Again, we all saw Mr McGuinty sign the commitment with the Canadian Taxpayers Federation—this commitment was raised a number of times in question period today—a commitment to not raise taxes and not run a deficit. I will mention that the CTF put out a news release yesterday expressing their disappointment with this government. In that release, their director, Tasha Kheiriddin, says, "Mr McGuinty campaigned on the pledge. He was elected on the pledge. He must be held accountable for his promise."

She goes on to say, "It's not only a promise, but it's the law. The Taxpayer Protection and Balanced Budget Act was enacted to protect taxpayers from politicians who would overtax, overspend and send this province deeper into debt."

Now we read—and I read this today in the National Post—an article titled, "Grits to Change Multi-Year Deficits Rule: Another Broken Promise." The article begins with a sentence that really pours cold water on that Liberal election promise: "In a move that breaks a promise to deliver balanced budgets every year, Ontario's new Liberal government will change the province's Taxpayer Protection and Balanced Budget Act to allow for multi-year deficits." This came from the CanWest news service.

It goes on: "Tasha Kheiriddin ... said changing the Taxpayer Protection Act to allow multi-year deficits within the government's mandate would 'be a mistake' that will not make it easier to improve key programs...."

"If they do this, they will be breaking their trust with voters who elected them to balance the books this year."

The Canadian Taxpayers Federation has taken their cause to people through an on-line petition, and I'm sure Premier McGuinty will get a chance to see these petitions as they come pouring in.

I'd like to give everyone here and those watching a chance to hear what the CTF is asking. In their petition they point out:

"On the 11th of September 2003" Premier McGuinty "signed a pledge to uphold the Taxpayer Protection and Balanced Budget Act if [his] party formed the next government of Ontario."

I know the member from Parry Sound-Muskoka addressed this issue, and it bears repeating. I will read the pledge that was signed by the Premier:

"Not raise taxes or implement new taxes without the explicit consent of Ontario voters," and, as we know, "Not run deficits."

The petition goes on to say the government has "suggested that certain tax credits may be repealed, thus increasing the tax burden on Ontarians." The government has further stated that the budget "will likely not be balanced in the next fiscal year."

So I say to Liberals opposite and in the rump that this move would fail to respect the will of the people who elected you. You would continue to lose the trust Ontarians placed in you to safeguard their hard-earned tax dollars.

If anyone wants some information on this petition, go on the Web site [www.taxpayer.com](http://www.taxpayer.com). It makes for some interesting reading.

As I've been saying, we all heard the leader of the Liberals make these sweeping commitments to keep his hand out of the wallets of Ontarians, and then we all watched as he dug deeper into taxpayers' pockets than ever before. We saw the introduction of legislation before Christmas that brought us the largest tax hike in Ontario history, larger even than his Liberal predecessor David Peterson. He only—and I say "only" in the loosest terms—hit us with \$2.8 billion in extra taxes, insignificant in comparison to the \$4.13 billion we've seen so far in the so-called Fiscal Responsibility Act, and we still haven't seen the budget.

We see the same Dalton McGuinty who told us he wouldn't raise taxes trying to cover his tracks, trying to justify actions. The \$200,000 so-called consultants' report was a set-up. People in that particular consultation indicated—this is hard to believe—they wanted to pay more for services and more in user fees. I can tell you, in talking to people at the door in Hamilton East, that they're not telling me that. I am hearing information more in line with what the CTF is telling us.

In earlier debate we heard the expression "spendaholics." The taxpayers federation has a program for spendaholics, a 12-step program. It's quite appropriate considering this government's addiction to tax and fee hikes, and a dependence on rules, regulations and red tape, all directed to fostering the ever-increasing size of government.

There are about a dozen recommendations. I'll mention two:

"That the government abide by its election pledge to uphold the Taxpayer Protection and Balanced Budget Act and not run a deficit or raise taxes;

"That the government focus on its core priorities, eliminate waste, cut government spending, and pursue a results-based approach as opposed to simply measuring dollars spent."

Clearly, this government has got to stand up and admit that it has a spending problem, an addiction if you will, not a revenue problem. Premier McGuinty has got to get spending under control in the coming budget if there's any hope of restoring fiscal order in this province; if not, we will see a Liberal deficit in spite of all the hikes in taxes and in spite of all the user fees that are coming down the pike.

**1650**

**Mr John Wilkinson (Perth-Middlesex):** I would pose a question to all of my colleagues here. What do you do when you make a promise based on someone else's promise? I'll give you an example. When I go back on Thursday and I take the train and my son, who's nine years old, says to me, "Well, Daddy, what time are you

going to be home?" I'm going to say to him, "I'll be home at 7:40." The train leaves at 5:20 from Toronto, and it gets into Stratford at 7:40. If he says, "Well, will you promise me, Daddy?" I'll say, "As long as the train is there, that's what time I'm supposed to be there," because Via Rail says I will pull into the station at 7:40.

It's unfortunate, but sometimes other people let you down. Sometimes you're not able to keep your word if you've based it on the good faith of someone else. If there's anything that our party did in the previous election that was an error, I can tell the good people of Ontario it's very simply that: that we actually took the honourable members from the previous government at their word. We rue the day we did that.

The only way we could set our platform, the only way we could go to the people with an apples-to-apples comparison, was to look at that infamous Belinda budget, the Magna budget, the budget that wasn't here in this Legislature but instead at Magna car parts. I ask the question: Why were we at chez Belinda? Why were we there?

If that budget had been held in this House, if that budget had been here, then we would have had the chance, as the opposition party of the day, to hold the government and their fiscal assumptions to account, to call them into committee and say, "Show us, in good faith, your plan for the people."

I always wondered why a government, when it had received—I believe every editorial newspaper report of note in this province condemned the previous government for throwing away 800 to 900 years worth of parliamentary tradition. A Speaker who had come from their own caucus had condemned them. I said of the previous government, "Why did they have the budget at Belinda's?" It was very simple. In my opinion, they needed to avoid the fact that their assumptions could not see the light of day.

We made sure that the people of Ontario had a clear choice. In our platform, we took the previous government's numbers, their economic assumptions—and this is, to be fair, before SARS, before the blackout, before mad cow—and laid out our fiscal plan so people would have an apples-to-apples comparison.

I'm a certified financial planner, someone who deals with money. You need to be able to compare apples to apples. That's the only fair way to do it.

But there was one huge, gaping hole in their budget numbers that we were most concerned about. That was the sale, I believe, of almost \$2 billion worth of assets that hadn't been identified. I remember in the campaign—I was campaigning, and I'm sure you were too, Mr Speaker—asking, "Which assets are to be sold?"

When the Minister of Finance and the former Provincial Auditor finally got a chance to look at the books when we formed the government, they went to the Ministry of Finance and they said, "OK, what assets are you in the midst of trying to sell?" There were none.

There was always going to be a \$2-billion hole in that budget. If they were planning on selling assets by the end of March and not having a fire sale like the 407, then obviously they would have had some due diligence and

done some work to make sure that those assets that were in Mrs Ecker's budget held at Belinda Stronach's place would have been identified. No one from the opposition has ever been able to come to me and say, "Yes, we had a plan to sell these assets to a total of \$2 billion." That's amazing, because my understanding is that we have about \$14 billion worth of hard assets in the whole province of Ontario that our government owns. So \$2 billion is a lot.

We had already gotten rid of the 407 and sold it off to private interests so that the people who take the 407 pay more and more fees every day, despite the fact that I remember the former Premier saying before that 1999 election—I remember that election because I ran in that election and I lost that election, because the previous government said, "No, we keep our word. Vote for us. We keep our word." What happened? You just tell the people on the 407 whether or not the previous government kept its word about tolls going up and down.

When we look into this context, once bitten, twice shy. What did we do as a government when we took over and discovered this? I had an interesting chat with people from the Canadian Taxpayers Federation. The Premier had signed the Taxpayer Protection Act. He did. Many of my colleagues were there. I wasn't there, but he was there and I was proud of him when he did it.

Here's the interesting thing, and I've always found this to be quite remarkable. The soon-to-be Premier signed that, and it was mere weeks later that the Canadian Taxpayers Federation—I think we'll all remember this—said, "Guess what? We think there could be a \$4.5-billion deficit." The Canadian Taxpayers Federation knew this province was running a deficit. Did they tell the people of Ontario before or after politicians were asked to sign that pledge? They told us after. Now, all of a sudden someone who misrepresented to us is getting in the newspapers all across Ontario, and on television there's a lovely woman in pink who goes on and tells us that somehow we should have known better. If we should have known better, then perhaps she and her predecessor, Mr Williamson, should have been saying to the good people of Ontario, "My God, we think there is a \$4.5-billion deficit being run by the previous government, that they've hidden that fact. They've hidden that fact by having a budget over at Belinda Stronach's place."

I just find it passing strange for these people—I've said in the House before that if you're looking for the definition of "chutzpah," you can talk to the people who have introduced the opposition motion today, who come into this House and decide they're going to preach to us, that somehow they know all about fiscal probity, that somehow they were running a tight ship.

At OPG, which I call Ontario patronage generation, we had a culture of mismanagement of \$40 million spent to have the Pickering A refit end up going from a \$700-million project to a \$3-billion project. Who was in charge? Who was looking after that file? It was the sponsor of today's resolution, the good member from Nepean-Carleton, who's decided to waltz into this House and lecture us and our government.

What have we done to make sure that once bitten, twice shy? We have to make sure this never happens again to the good people of Ontario. One of the things we've done, in regard to changing the Audit Act, is taken the Provincial Auditor and we're creating a new, more powerful position, the Auditor General, who will be able to go into our transfer partners and find these little hidden bags of cash, or, as I like to say, these hidden deficits that permeated the fiscal state of this province and route them up so that we can have an accounting.

You can't create a financial plan if the numbers you base it on are false. If you make a promise to someone and the information you base is on is not correct, you have to ask the question, where did the source come from? Even my nine-year-old understands that if I tell him I'll be coming in at 7:40 on the train, and the train is late, I'm late. That doesn't mean I don't want to be home. That doesn't mean I won't get home. That doesn't mean I have to learn to be careful. But what I have to do in business is—you're only as strong as the information you're given. What we've done for the good people of Ontario is made sure that that information will be accurate from now on.

1700

**Mr Garfield Dunlop (Simcoe North):** I'm very happy to rise today to support this resolution from my good colleague the member from Nepean-Carleton, who's very active in working with our party to try to get some answers out of the newly elected government.

When I ran for Parliament in 1999, I really was never much of a political animal as far as political parties go. I certainly had supported the Tories but I didn't plan on becoming a member of Parliament. The reason I ran was really because of the actions of Mike Harris.

I come from a small municipality and worked with the municipal government. Of course, I was a small businessman as well. After 10 years—we called it the lost decade—business people in the province of Ontario and municipalities had just about had enough of David Peterson and Bob Rae and all the painful times they put people through, basically turning their backs on small business communities and turning their backs on municipalities until there was nothing left of them and there was no confidence left.

Then along came Mike Harris, and guess what? Mike Harris said he would do what he had promised to do. He kept his word. Mike Harris came in, in 1995, and he did exactly what he said he would do. Even if you were a New Democratic Party member or you were a member of the Liberal Party, people respected that. That was where the bar was set. Whether you agreed with his policies or not—and many people didn't, but it was enough to win two majority governments—the fact of the matter is he kept his word. Promises made, promises kept.

Then along came Dalton McGuinty and his plan for Ontario. Remember that? "I have a plan for the working families of Ontario." Well, he had a plan, all right. He hasn't kept one word of his plan yet. This guy was elected in October 2003, and all he has done to this point is find expert panels. He's created this ridiculous book

here at \$200,000 that was untended. The bogus deficit numbers were produced in about three days, when anything else in the Ministry of Finance or the Provincial Auditor took months and months to proceed. But he came up with this \$5.8-billion deficit immediately. That is what Mr McGuinty has actually worked with to this point; that's all he has really done, is talk about the \$5.8-billion deficit. He hasn't taken any leadership.

What we've seen are broken promises, one after another, as recently as the moratorium on school closures this week. I couldn't believe it when they stood up and said there were going to be 100 schools closed in the next year, after having an announcement that there would be a moratorium on school closures. The guy doesn't know what he's talking about, plain and simple, and that's the Minister of Education, coming up with a moratorium. A moratorium is a moratorium. I'm sorry, but we're disappointed in that. Especially with so many rural caucus members, we thought, "Let's keep the boards under control here; the minister might know what he's talking about." No. The boards are going ahead and doing what they want. There's no moratorium, and we feel really badly about that.

Then we got the blame for the debt, the blame for the deficit. That is how they are governing today. And, of course, the Taxpayer Protection Act, I understand, is about to be dismantled. That doesn't matter.

One of the things I've got some real concern about is that suddenly Mr McGuinty is going to play a leadership role in health care in Canada—the same guy who wouldn't sign a document to ask Allan Rock to provide proper health care funding to the citizens of the province of Ontario and all Canadians. He wouldn't sign that. Howard Hampton signed it; Mike Harris signed it. I can't think of a weaker person representing health care officials in Canada than Dalton McGuinty, and if you can believe he's actually going to take a health care leadership role, good luck, ladies and gentlemen of the province of Ontario. I don't think he's up to the job on this one.

There are a lot of things we can talk about today. I'm sorry we've only got 17 minutes left, because I've got two more people in our caucus that I've got to make room for to speak. But I will run into their time a little bit. The fact of the matter is, the citizens of Ontario, prior to this guy and prior to what I call now a fractured government, prior to these people, were used to a government that kept their word.

#### *Interjections.*

**Mr Dunlop:** I'm sorry. I was really quiet when you people were all speaking, and now you're heckling me and making noises. You don't want to hear the truth. Why are you always heckling me when I stand up in this House? Every time I stand up, you heckle me and heckle me and heckle me. Why are you doing that? I don't heckle you.

**Interjections:** Yes, you do.

**Mr Dunlop:** I never do. Well, I do sometimes.

**The Deputy Speaker:** Member for Simcoe North, the Chair may be blind, but it's not deaf.

**Mr Dunlop:** Well, Mr Speaker, we have to have some fun in this House, and I do enjoy debating these particular motions.

But I do know that we are exceptionally concerned. We hope that all members of the House would support this motion.

*Interjections.*

**Mr Dunlop:** Maybe you won't support it, but the fact of the matter is I have a great deal of respect for John Baird. He is one of the hardest-working MPPs I have ever seen in my time here and, for all I know, one of the hardest-working MPPs we have in the country. I think there's no question that some day John Baird will probably be the Premier of this province.

*Interjections.*

**Mr Dunlop:** Don't laugh about it, because that's on record. I have a lot of respect for this guy. Of course, John isn't thinking of putting his hat in the ring this time, but there's no question—he's a very young guy; I think he's about 34 years old—he's got a great future. He's a fighter. He's fighting for the rights of Ontarians.

Whether you disagree with John Baird or you disagree with this motion, the fact of the matter is that the guy deserves a lot of respect in this House for bringing this kind of motion forward so we can debate it. That's what democracy is all about. I know you'll likely vote it down, but the fact is, it's the way we feel. We feel that the Taxpayer Protection Act should be supported. We believe it was a good piece of legislation. We're sorry the Premier stood during the election campaign and had that publicity stunt with all the media around him, signing the Taxpayer Protection Act and saying that now there were no deficits, that everything was perfect and he was going to carry on with no tax increases and continue to break the promises that he probably already had in the back of his mind.

We on this side of the House are supportive of this motion. I know my friend Mr Runciman is here now. With that, I would like to finish my comments. We will be supporting this and looking forward to May 18, a very important day in the history of the province this year. I understand the budget will be read in the House, but I also understand it will be four days after the by-election instead of four days before. I don't know why you wouldn't have it four days before the by-election. Also, I understand the budget will happen just before constituency week, when you hope it will die and fade away in that seven- or eight-day break that's happening. It's so blatantly obvious how you're trying to hide this budget this year. The media are all over you on this.

I get the same feeling about the date of the budget as I do when I see the look on Paul Martin's face these days. He looks like the cat that ate the canary. Every time you see him, he's got this sad look. He looks like he's going down. I believe he is, because we've had enough of Liberals in Ontario. I, for one, hope the federal election will start to clear the air for the citizens of Ontario. We want governments that keep their promises—promises made, promises kept—not broken promises and whatever Mr McGuinty is trying to operate over there.

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** I'm very pleased to have a chance to speak to the opposition day motion. Obviously today, none of us in this room wants to speculate as to what is going to be in the budget, but we do know it is coming on May 18. As my friend opposite indicated, that is the week before constituency week. For those of us on this side of the House who know we will have delivered a budget here in the Legislature, in the place where it should be delivered, we will be very proud to go back to our communities and talk about what is in that budget, just as we were pleased to go and speak to Ontarians to ask them how we should deliver on an Ontario that they wanted to see.

I personally had the opportunity to attend the budget town hall sessions we conducted across this province in Windsor, Toronto, London and Ottawa. At each of those budget town hall sessions, I had an opportunity to observe citizens of all political stripes. There were many card-carrying New Democrats and Conservatives in those audiences, many community activists and many people who really believed in sharing their ideas with the government about what kind of Ontario we should live in.

When we went to Ontarians, we weren't going back to redo the election. We got our marching orders on election day, and we are going to deliver for the people of this province good education and good health care, and live within our means. Those were marching orders that Ontarians gave us. When we became the government, we had an opportunity to really examine the fiscal constraints that this province was in. The province has been in a state of decay for the last decade, where we see our health care institutions crumbling, where we see off-book debt being held in abeyance to pretend that additional deficit did not exist.

**1710**

We were able to go out and talk to people in this province about the real state of affairs that existed in Ontario. The previous government had said that there was no fiscal deficit, that we have lots of electricity and that things are better than ever before in our hospitals and schools. On October 2, Ontarians indicated loudly and clearly that they disagreed, although they didn't know the real state of this province. What we did was go out across Ontario to have an opportunity to listen first-hand, in unprecedented dialogue with the citizens of this province, and to ask Ontarians to work with us.

I don't know if the members opposite took an opportunity to conduct a budget town hall in their own communities. As I said, I was at four regional ones that we conducted. It was an incredible experience to be listening to the people of this province, who had a chance to work together, sitting around a round table and looking at the very difficult issues that face our government, talking about how they want to us get from A to B—and exactly what route are we going to take? How fast are we going to go? How slowly are we going to go? Are we going to turn right? Are we going to turn left? What meandering, or not, direction are we going to take to get there? There were young people, old people, representatives, single,

married, parents, youth; all sorts of people had an opportunity to come—this was the face of Ontario—and listen to each other and say, “I want better education, I want better health care, I want us to live within our means,” and to give the government their very sound advice.

We’re going to listen to this advice. We know that the week after the budget we have an opportunity to go out to speak to people in our constituencies. In my own riding in Etobicoke-Lakeshore I’ll be hosting a budget breakfast immediately on the morning of May 19 to talk to the people in my community about what the budget says for them. We know it is going to be a Liberal budget, a sound budget. It’s going to be a responsible and reasonable budget and it’s going to reflect the very prudent, sound advice that we were given by the people in this province.

Yes, there has been lot of talk about the fact that Ontarians are cynical. They absolutely are cynical, because they feel they were sold a bill of goods by a previous government that said, non-stop, “There is no deficit in the province. We are good fiscal managers.” The people who were the most cynical and the most frustrated by what has happened in this province are many of those who really believed that. They now have been struck with the stark reality that what they believed the previous government was selling to them was in fact a bill of goods and wasn’t accurate.

I want to spend a few minutes talking about the advice that Ontarians gave us and the principles they asked to us follow. I had an opportunity to sit in the back of the room and listen to Ontarians’ advice. Certainly not all of the advice was consistent. When you bring a group of Ontarians together, you’re going to have an inability to reach consensus on a number of points. But the advice, by and large, did have common themes throughout. That’s the information that is consistent with what the citizens’ dialogue folks have put out in their material, as well as what we heard across the province. They told us that the budget should be balanced over the course of our mandate because they learned their lessons from the previous government about the really dire consequences of cutting and slashing and tax cuts at all costs. They did not want to live through an Ontario like that again. They told us that Ontarians should pay more of the real cost of natural resources so that we have a basic level of service for all Ontarians, but that that would encourage conservation. That was something that was really important to the people of this province.

They also wanted us to make sure we really looked at the issue, which is the topic for today, of how we would raise additional resources in this province. They gave us some really important, but consistent, guiding decisions. They said we should charge the real fees for services in this province; that if we were going to, as a province, deliver a service, then we should make a conscientious decision about whether or not taxpayer dollars subsidize that service.

Take one example: vanity licence plates. Sure, maybe we want to put—my predecessor had “MPP” on his licence plate, Etobicoke-Lakeshore MPP.

**Mr. Leal:** Is that what Morley Kells has?

**Ms. Brotin:** That’s what Morley had on his licence plates. I don’t have that licence plate, but if I did, I should pay the real cost of getting that vanity licence plate. Those are the type of things that Ontarians told us they wanted to have.

We shouldn’t be subsidizing luxury boats. If you need a licence for your big boat to bring it on Lake Ontario, you should pay the real cost of that.

One thing they said loud and clear and that our government is listening to is that with those additional real fees, user fees to pay the real cost of things that you’re consuming in the province, we should be careful for those who are most vulnerable and can’t afford to pay for needed services. That’s a caveat that I think my friends across the way have not really listened to, because that information was provided to them in terms of what we’re going to do as a government. That user fee concept was very much to say, “But still be cognizant of those in our society who can’t pay the real fee.” When I had the opportunity in every corner of this province to sit and listen to what Ontarians were talking about, that is something that came across loud and clear. So those are many of the reasons they said, “Subsidize government services conscientiously.” That is an important piece of information and advice that we gained from the citizens of this province.

To tell you simply how wonderful those pre-budget town halls were, many of the folks, as they left the room, asked me if I would see them the same time next year. We look forward to continuing to consult with them.

**Mrs. Liz Sandals (Guelph-Wellington):** I’m pleased to speak today in opposition to the opposition motion, a motion in which the Conservative Party is essentially telling us how a Liberal government should set its budget, according to Conservatives.

The member for Simcoe North, who spoke just a few minutes ago, made an interesting comment. He said that he ran because of a man called Mike Harris. I suppose in a way I ran because of a man called Mike Harris too. I ran because I didn’t like what a man called Mike Harris had done to this province.

When I went door to door, what voters told me was that they had caught on that while the Tories made all these great promises about cutting this tax, cutting that tax, making this more efficient and making that more efficient, what the Tories had really done was slash the services that the people of Ontario depend on.

They made cuts to education. Remember Mike Harris saying that there would be no cuts to the classroom? Anybody who is like me and came from the education sector knows that was a broken promise. The Tories absolutely made cuts to the classroom, and the voters told me they knew it.

Mike Harris said he wouldn’t make cuts to health care. He closed hospitals, and the voters out there said, “We’re really concerned about our health care. They aren’t enough doctors or nurses in our hospitals. We have a waiting time. We don’t want that to happen any more.”

They were concerned about Walkerton, they were concerned about meat inspection, and they were concerned about an electricity system that was near collapse. They understood that you can't, in fact, continually have both cuts to taxes and good service. They got it. The Tories' tax cuts didn't work, and you just can't believe Conservative promises that tell you about how you can pay less and get more. In fact, voters caught on that while their personal income tax rate may have gone down, a whole bunch of other things had gone up. They knew that provincial user fees had gone up. Remember, the Tories are telling us now, "Don't raise user fees." Well, they raised user fees.

1720

Let me tell you about some of the user fees they raised. Under the Business Corporations Act, if you want to incorporate a business, they raised the fee to \$360.

If you were for some reason delayed in registering your baby's birth—they raised the fee to \$50.

If you are a young driver and you want to get the driver handbook so you'd know the rules of the road of Ontario, or maybe you're a senior and have to retry the exam—they raised the fee to \$7.95. You used to get it for free, and now it costs almost \$13.

If you want to get a freedom of information request—the Tories raised the fee.

They want to have an application for renewal of a licence under the Private Investigators and Security Guards Act—they raised the fee. Maybe that wasn't a bad thing, because people were paying for the cost of processing, but they raised the fee..

If you want to apply to OSAP, the Ontario student assistance program, for a student loan, you've got to pay a fee. What's really problematic—and I hear about this because I live in a university town and my constituents complain—is that if you wanted to inquire about what has happened to your student loan application, they charge a fee.

These are the people who have a motion today that we shouldn't have any increased user fees, when in fact the Tories relied on that tactic all the time. Not only had the voters caught on that they were paying increased user fees, but they'd also caught on that their municipal taxes had gone up, that municipal user fees had gone up, that school board user fees had gone up, that all sorts of things had gone up. In fact, a recent study by the Ontario Confederation of University Faculty Associations shows that the average Ontario family ended up paying more in user fees than they got from their personal income tax cut.

These are the people who have the gall to tell us that we're not to have user fees? Give me a break.

The other thing the voters seem to understand is that, despite their reputation, the Tories can't really manage money. What did we find when we came into office? We found a \$5.6-billion deficit. When we started to look at the books, we found there was a \$100-billion deficit in infrastructure. What does that mean in real words? That means that police stations are falling apart. It means our

highways are falling apart. It means that water mains, sewers, water treatment plants and sewage treatment plants are falling apart. All sorts of public infrastructure is falling apart—another deficit they hid. In fact, the Tories added \$32 billion to the provincial debt. Think what that means. If you're adding to the provincial debt, that means you don't have a balanced budget. Now these same people are complaining that we might not have a balanced budget.

I don't know what's going to be in the budget on May 18, but I certainly know that the Balanced Budget Act, the act that belongs to the Tories and that they themselves broke, says that the party that filed the deficit budget should pay the penalty. So I wonder if, under this act, the people who were Tory cabinet ministers are willing to take a reduction in their salaries.

What I do know is that we are not going to slash and burn programs. We are going to defend public education and public health care, and we are going to make sure the services that make Ontario work are brought back to health and that we have a province that works for every Ontario citizen.

**Mr Robert W. Runciman (Leeds-Grenville):** I appreciate the opportunity to participate in this important discussion. I know there has been some comment by Liberal members with respect to the findings of Erik Peters following the election. With respect to that, I should point out that Mr Peters was making projections based on six months of a fiscal year in which we did promise a balanced budget. Mr Peters realized that we were no longer in office and unable to take the steps necessary to balance that budget. So in reality, his budget deficit estimate was made knowing that the Liberals were now in power and were unable or unwilling to take the steps needed to balance the books for the past fiscal year. That's the reality.

It's not surprising to me what's happening with respect to the intentions of the Liberal government. I was here as a member of the Legislature during the Peterson five-year run in government. Certainly, they deserved the inauspicious kicking in the pants that they received from the voters in 1990. Regrettably, that led us into even worse economic difficulties with an NDP government.

I think that was a major concern with respect to the days leading up to the election last year. I think within the brain trust—if you call it that—of the Liberal Party, they knew that the perception of their party with respect to management of the economy was a weakness. "How do we address that weakness? How do we persuade voters that we're not going to be the tax-and-spend Liberals that governed this province between 1985 and 1990? How can we convince them that this is a different Liberal Party; that we're going to show some fiscal responsibility; that we're not going to tax them to death; that we're not going to drive the jobs and prosperity out of this province?"

Warren Kinsella, or whomever in the back room, said, "Why don't we sign on to the Taxpayer Protection Act? Why don't we call up John Williamson, a friend of Warren's, and see if we can sign the Taxpayer Protection

Act?" That's exactly what happened. Mr Williamson was duped and, I think I have to say, somewhat of a willing dupe and, in criminal law terminology, aided and abetted what occurred with respect to the commitment made to the people of Ontario: that the Liberal government, the Liberal Party, if forming the government, would not abuse the trust of the people of the province of Ontario.

Look at quotes in the Taxpayer publication issued by the taxpayers' foundation, which has a smiling Mr McGuinty on the cover. I recognize the Speaker in the picture, the Minister of Health and Ms Broten, who's smiling away. They're signing this big document, which we have a copy of here today, signed by Mr McGuinty on September 11, 2003: "I, Dalton McGuinty, leader of the Liberal Party of Ontario, promise that if my party is elected as the next government, I will not raise taxes or implement any new taxes without the explicit consent of Ontario voters"—that means a referendum—"and will not run deficits. I promise to abide by the Taxpayer Protection and Balanced Budget Act." Signed by Dalton McGuinty, witnessed by one John Williamson, the Ontario director of the Canadian Taxpayers Federation.

If you read this Taxpayer document, the December 2003 issue—and I said during question period today that Mr McGuinty's signing of this, with significant publicity and coverage around the province, was a major reason why he's sitting in that seat today, why the Liberals are in power in the province of Ontario today.

#### *Interjections.*

**Mr Runciman:** There are a lot of guffaws from across the way, but I believe that's the case.

If you look at the document here, in one of the articles: "The photo of the Premier signing the" taxpayer "pledge keeps appearing on television news and newspaper articles across the province. It serves as a constant reminder to voters—and the Liberal government—of the solemn promise Mr McGuinty made to the people of Ontario to not run deficits."

It goes on: "In that one act," Mr McGuinty "confronted Ontarians' greatest concern about Ontario Liberal governments—the fear of fiscal bungling." He confronted the fears, but I'm not going to use unparliamentary language. I don't want to have you rise from your place and call me to order. I think there are a whole range of issues around that promise, around that signed commitment, which is now clearly going to be broken.

1730

If you look at some of the press reports today with respect to how they're going to approach this, they're going to suggest that they're taking pay cuts within cabinet, and that's for the good of the country and will justify them breaking the law. Well, the reality is that most of them a few short months ago got significant increases in salary. So this is not any dramatic reduction in their salaries. That's the reality with respect to that.

But that's really a side issue. The fact is, they are breaking the law. The Attorney General, as the top justice official in the government, was asked in a scrum going into cabinet today—we respect the rules of the province

of Ontario. The government should respect the laws of the province of Ontario. What's happening here? They're clearly prepared to not respect the laws of the province of Ontario. They're clearly prepared to break the laws of the province of Ontario with respect to the Taxpayer Protection Act.

How are they going to do this? They're going to do it, we understand through media reports, by amending the legislation. So what they're going to do is change the legislation so that they can break the law. With the current wording of the law, they're effectively going to change the legislation so they can legally, in the eyes of the members of the governing party at least, break the law.

I think that is a terrible, terrible thing for this government to be doing. I think it sets a terrible precedent for any future party that governs this province. I think it sends out all of the wrong messages to the people of Ontario.

If you look back again at the election campaign and the documents that the Liberal Party produced—and I just want to put on the record again a few of the quotes attributed to Mr McGuinty, then the Leader of the Opposition. Again, I'm quoting, and I'll provide this material to Hansard afterwards: "Nothing inspires me more than the opportunity to combat the cynicism that far too many people feel about Ontario politics."

We've talked, and some other members have talked, about over 20 broken promises. But this promise with respect to a signed pledge not to run deficits, a promise to abide by the Taxpayer Protection and Balanced Budget Act, I think is the most serious, the most grievous breaking of the public trust to date. I think that's why you saw the reaction in the House today of our members, who were terribly upset. I think the people of Ontario, who placed their trust in the Liberal Party of Ontario with respect to this commitment, should be terribly upset, and will be terribly upset as the days go forward and the budget is tabled on May 18.

A further quote attributed to Mr McGuinty, now the Premier, at the time:

"As we enter the next provincial election, I will have three children in university and a fourth completing high school. I find it unacceptable that their generation may be so turned off by our political system that they will virtually abandon representative democracy."

As I said earlier today, those are fine words, but I think in light of the decision to break a pledge, they are phony words. The government has to be called to account for what they are doing here. I think it is a serious matter.

What message does that send out to potential voters? Mr McGuinty is referencing his children and other young people who are growing up, looking at the political system and wondering about the process: How does that represent me? How can I trust governments? How can I trust politicians? They continue to break promises. Mr McGuinty is saying one thing in the lead-up to an election campaign, and when he takes office, the actions are fuelling cynicism, not just amongst the young, but certainly, I think, amongst the broader populace, people

who believed him when he had those television ads saying, "I will not raise your taxes," when he signed this very solemn pledge to abide by the Taxpayer Protection Act. I think that's a very serious matter. I think the Liberal members will rue the day the decision was taken to break the law with respect to the provisions of the Taxpayer Protection Act.

As I said, I'm not surprised by this. I'm disappointed by this. I'm disappointed in Mr McGuinty, whom I consider to be a friend and someone I've worked with in all of the years he has been in this Legislature, both in opposition and now in government. We served on committees together. I believe he is a sincere person, but he has been caught up in what is demanded of him as Premier and what is demanded of his government and all the pressures that any government faces on a day-to-day, week-by-week basis; they are significant and onerous.

I think Mr McGuinty, the now Premier of the province, should step back and assess what he's doing with respect to this. He is the leader of the government. He is the leader of the province. He has made a decision. He is supporting a decision to break the law, to break this solemn promise, one he signed. It has Dalton McGuinty's signature on this document, one that members proudly boasted about during the campaign. All of the Liberal members in the House carried it around on the campaign trail with them and boasted.

**Ms Marilyn Churley (Toronto-Danforth):** Will you mention my name so the audience will know I'm here? I don't get to speak.

**Mr Runciman:** Ms Churley is here, and I'm sure she's going to vote the right way with respect to the motion before us today.

In conclusion, this is a disappointing day. It's disappointing for me personally with respect to my friend the Premier and the decision he has taken with respect to this law, a decision to break this law.

Again I say it's disappointing but not surprising, because I was here before. I saw the Liberal government of the day almost double-spending in this province in five years in office: 33 tax increases during that time in office and dramatic increases in the welfare rolls during a good economy. That was the track record of the Liberal government of 1985 to 1990. Regrettably, we are following that same path today. Lessons were not learned, apparently. I didn't say this about Peterson, but clearly this is going to be a one-term Liberal government, and deservedly so.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** The unmitigated gall of the member from Leeds-Grenville and the member from Nepean-Carleton to be lecturing anybody about integrity and to bad-mouth Erik Peters, their auditor, a man of integrity. They appointed him. To then rake him over the coals the way they did is quite shameful. But it's part of a pattern.

My mom used to tell me when I was a kid, "When you mess up, fess up." This government has always had trouble fessing up. In fact, in the four years I've been here, I can't think of a single time when a Premier or a minister of the previous government got up and admitted

they had made a mistake—not once. Can anybody here think of one?

**Interjection:** They blamed everybody.

**Mr McMeekin:** They blamed everybody else. They had no-fault insurance: Whenever anything went wrong, it was always somebody else's fault. It was kind of a blur-and-slur tactic: Blur your record and slur everybody else's.

You remember health care? Blame the feds. Walkerton? Blame the mayor or the NDP. Problems in education? Blame the teachers, the unions or the school boards. Municipal problems? Forget about downloading or explaining that, just blame the municipal politicians and bring in regulations to talk about accountability. Home care problems? My colleague from Hamilton Mountain knows the answer to that: You just fire all the CCAC folk, even though you appointed them in the first place.

Sadly, when it comes to trying to work with others to build a stronger Ontario, the previous government never seemed to miss an opportunity to miss an opportunity. There's an old expression that goes something like this: A lie is usually halfway around the world before truth ever gets its boots on.

A case in point: According to a study of the Ontario Confederation of University Faculty Associations that looked at the Tory tenure, the benefits to Ontario families of the tax cuts imposed by the Tory government between 1995 and 2003 were outweighed by, get this, higher user fees during the same period. The study found that a typical single-parent family with two children and an annual income of \$38,000 was paying \$1,490.43 less in income tax in 2003 than in 1995 when the Tories were first elected, but the average Ontario household was actually paying \$1,831.14 more in user fees and property taxes in 2003. So there you have it. They insist on far too strict a paradox to demand that we do the very things they promised to do, and the independent study shows they couldn't.

**1740**

Instead of responsible, focused, visionary government when they were in power, we went through a period of wrecking-ball politics. It was like a great wagon train moving west. Whenever they hit trouble, rather than circling the wagons in defence of community to provide time for reflection, discussion and debate, they stopped only for one reason: to let people know they had reached the end of the line. They stopped to let off the disabled, the frail elderly, children with special learning needs, the sick, those with hearing problems and the poor. This was nothing short of a new form of social Darwinism. These Tories weren't the likes of Leslie Frost or John Robarts or Bill Davis, who on most days exercised real common sense and worked in support of the common good.

**Interjection:** Frank Miller was OK.

**Mr McMeekin:** Yes, even Mr Miller. You're right.

They were a renegade band of narrow-cast, ideological mercenaries. And having managed on one occasion to forge a consensus of the forgetful, as history will record, it wasn't about to happen again. Remember October 2? Why? Because people began to put the pieces together.

They began to notice that something was missing from all those partisan, taxpayer-funded political ads and pamphlets.

Do you remember the clock ad that bashed teachers for not wanting to work 14 more minutes? Did that ad do anything to affirm teaching or build up our educators? Was there any mention of Walkerton in those ads? No. Was there any mention in those ads of our provincial debt skyrocketing from \$88 billion to \$114 billion? Was there any mention of financing tax cuts by borrowing \$10 billion?

**Interjection:** No, just, “Tax dollars working for you. Mike Harris.”

**Mr McMeekin:** Right on.

Did you hear anything about an added \$280,000 per hour in interest, just on the new portion of the debt they added?

**Interjection:** No.

**Mr McMeekin:** You didn't hear that?

It's a strange way to run a business, isn't it—and a government. By the way—I think we're touching a sensitive nerve here—did we hear anything in those ads about the growing gap between the richest of us and the rest of us? Nothing. How about the growing waiting lists for medical services? What about services to the disabled; welfare kids no longer able to get their teeth fixed; the abandonment of community-based addiction, mental health and counselling services? Do you remember those issues being mentioned in those ads anywhere? No, my friends, in Tory Ontario, we didn't hear any of that. Instead, we had a Premier and a government that routinely called out to the worst in us all. They appealed to our greed. They appealed to our suspicions. They appealed to our pettiness. They built themselves up by putting everybody else down. Well, some things never change. It didn't seem to matter—welfare moms, teachers, health care workers and especially those Hula Hoop nurses. Do you remember those? You get the picture.

Real leaders don't exploit fear or hate, nor pander to our worst instincts. Real leaders, people like Dalton McGuinty, try to make us better as a people than we are as individuals. Real leaders understand that you can't shake hands with a clenched fist; rather, you need to learn to dream together again, to plan together again and to work together again.

As the Dalai Lama recently reminded us, the key to happiness lies in our compassion. Our best leaders teach compassion. They're not afraid to use words like “common sense” and “compassion” in the same sentence. Great leaders and a great political party refuse to define success by how many people they can set against each other.

I want to be fair. The Tories were once a great political party. Today, they are but a shadow of their former selves. Their pre-election strategy, a feigned renewal, was too little, too late. A bend in the road doesn't have to become the end of the road if you take the turn, but you guys insisted on taking The Road Ahead, not realizing it was a dead end. You couldn't take the turn. You went off the road. And the voters, without even knowing just how really, really sad our provincial economy had been left, in a financial sense, returned only 24 Tories. I'm convinced that this number would have been halved again had the voters fully understood the real scope of the mess.

There's a lesson here for all of us, including this new government: The practice of wrecking-ball politics doesn't work any more in the province of Ontario. Fortunately, there are people all across this province who are prepared to walk through the rubble, pick up the pieces and start again.

Today, Ontario is once again a place to stand and a place to grow for everyone, not just our rich friends. Today, all over Ontario people are feeling the cool, refreshing winds of change.

Today we have a government really prepared to fix our schools, strengthen our health care and build strong, caring and sustainable local communities.

We're not out to undermine government; we're here to make it work. We're not here to bully anybody; we're here to work with everybody. We're not claiming we'll do more with less work; we're claiming we can do more with what we have if we make intelligent decisions. And rest assured we're not going to take money out of public services for all to pay for tax cuts for a few.

Our task won't be easy. The mountain is high. We're going to join hands with all Ontarians in goodwill and start that journey up, because, friends, the Ontario we can all see in our mind's eye, the one we long to leave our children and our grandchildren, that Ontario is yours and mine, ours to deliver. Let's do it.

**The Deputy Speaker:** Order. Mr Baird has moved opposition day number 1.

All those in favour will say “aye.”

All those opposed will say—

*Interjections.*

**The Deputy Speaker:** Let's back up just a second.

Is it the pleasure of the House that the motion carry?

All those in favour will say “aye.”

All those opposed will say “nay.”

In my opinion, the nays have it. The motion is defeated.

The business being done and it being nearly 6 of the clock, this House is adjourned until 6:45 of the clock.

*The House adjourned at 1749.*

*Evening meeting reported in volume B.*

## ERRATUM

No.	Page	Column	Line(s)	Should read:
42	1960	1	42	project, so that everybody is clear. From 1989 to 1990,

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon James K. Bartleman  
 Speaker / Président: Hon / L'hon Alvin Curling  
 Clerk / Greffier: Claude L. DesRosiers  
 Deputy Clerk / Sous-greffière: Deborah Deller  
 Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman  
 Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton Mountain	<b>Bountrogianni, Hon / L'hon Marie (L)</b> Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiques et de l'Immigration
Barrie-Simcoe-Brampton	<b>Tascona, Joseph N.</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative		Marsales, Judy (L)
Beaches-East York / Beaches-York-Est	Prue, Michael (ND)	Hamilton West / Hamilton-Ouest	
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Brampton Centre / Brampton-Centre	Jeffrey, Linda (L)	Huron-Bruce	Mitchell, Carol (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Dhillon, Vic (L)	Kenora-Rainy River	Hampton, Howard (ND)
Brant	Levac, Dave (L)	Kingston and the Islands / Kingston et les îles	<b>Gerretsen, Hon / L'hon John (L)</b> Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
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Burlington	Jackson, Cameron (PC)		
Cambridge	Martiniuk, Gerry (PC)		
Chatham-Kent Essex	Hoy, Pat (L)		
Davenport	Ruprecht, Tony (L)	Kitchener Centre / Kitchener-Centre	
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	Wynne, Kathleen O. (L)	Lambton-Kent-Middlesex	Van Bommel, Maria (L)
Don Valley West / Don Valley-Ouest		Lanark-Carleton	Sterling, Norman W. (PC)
Dufferin-Peel-Wellington-Grey	Eves, Ernie (PC) Leader of the opposition / chef de l'opposition	Leeds-Grenville	Runciman, Robert W. (PC)
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Etobicoke Centre / Étobicoke-Centre	Cansfield, Donna H. (L)	Mississauga East / Mississauga-Est	Wong, Tony C. (L)
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		Oakville	Smith, Monique M. (L)
		Oshawa	Rinaldi, Lou (L)
			Klees, Frank (PC)
			Flynn, Kevin Daniel (L)
			Ouellette, Jerry J. (PC)

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Scarborough Southwest / Scarborough-Sud-Ouest Scarborough-Agincourt			
Scarborough-Rouge River		Windsor-St Clair	
Simcoe North / Simcoe-Nord Simcoe-Grey St Catharines		York Centre / York-Centre	
St Paul's		York North / York-Nord York South-Weston / York-Sud-Weston	
Stoney Creek	Mossop, Jennifer F. (L)	York West / York-Ouest	
			  <b>Cordiano, Hon / L'hon Joseph (L)</b> Minister of Economic Development and Trade / ministre du Développement économique et du Commerce Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premiers et derniers numéros de chaque session et le premier lundi de chaque mois.

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No.43B



N° 43B

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 5 May 2004

Mercredi 5 mai 2004

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 5 May 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 5 mai 2004

*The House met at 1845.*

### ORDERS OF THE DAY

#### ADAMS MINE LAKE ACT, 2004

LOI DE 2004

SUR LE LAC DE LA MINE ADAMS

Resuming the debate adjourned on May 3, 2004, on the motion for second reading of Bill 49, An Act to prevent the disposal of waste at the Adams Mine site and to amend the Environmental Protection Act in respect of the disposal of waste in lakes / Projet de loi 49, Loi visant à empêcher l'élimination de déchets à la mine Adams et à modifier la Loi sur la protection de l'environnement en ce qui concerne l'élimination de déchets dans des lacs.

**The Acting Speaker (Mr Ted Arnott):** Further debate.

**Mr John R. Baird (Nepean-Carleton):** I'd like to say it's my pleasure to speak on this bill, but it's not. I have some very serious concerns with respect to Bill 49, and they're twofold. The first concern is with respect to property rights and the second concern is with respect to the political nature of the approval of garbage disposal that this government is engaging in.

I'd like to talk first, if I could, about property rights. Section 5 of this bill is outrageous. It says that individuals involved in this dispute can't even seek the remedy of the courts, that they can't even seek legal recourse for any dispute. I think property rights are incredibly important. They're every bit as important as the other rights enumerated in our Charter of Rights and Freedoms. I'm disturbed by this government's attempt to use legislation to curtail law-abiding citizens' views and their intervention into the legal process.

Norm Sterling, the member for Lanark-Carleton, gave a speech last Wednesday in this place which I want to associate myself with. I thought Norm was in an interesting position to speak on this. He's not just a lawyer, he's not just an engineer, a former Attorney General and a former Minister of the Environment but someone who I think most members on all sides of the House would acknowledge has certainly followed environmental issues for many years. He spoke tremendously well, and I want to identify myself with his comments.

He spoke of the political meddling involved in this bill. I'm glad to see the member for Timiskaming here.

This bill, among some, has been called the "David Ramsay career protection act," because David Ramsay made commitments and the government is bailing him out from certain electoral defeat on this issue. As Mr Sterling said, this government wants to throw aside proper and due process and inject its political will on the people of Ontario.

Section 5 of the bill extinguishes the right of the proponent to legal recourse with regard to what the government has done for this very political process, and that does cause those of us on this side of the House substantial concern.

When Mr Sterling stood in this place, he did quote an editorial from my hometown newspaper and the Premier's and Norm's, and I'd like to quote from it because I think it very much sums up the concern that I and many members of this House and many people in Ontario have on this issue.

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"Dumping the rule of law: Ontario's Premier shouldn't need basic civics lessons, but a bill now before Queen's Park demonstrates that Dalton McGuinty doesn't understand a basic principle of western civilization: the rule of law.

"That principle, for Mr McGuinty's benefit, holds that laws—clear, public and predictable—are what govern our actions. Not the whim of king or Premier. And, just as important, the law applies to everyone—from the humblest individual to governments, kings and, yes, even Premiers.

"Mr McGuinty's lack of understanding of this basic idea is clear in the legislation his government introduced to deal with the lingering issue of the Adams mine dump. In 1998, the then Conservative government gave approval to a proposal by a North Bay businessman"—named McGuinty—"to ship Toronto's trash by rail to an abandoned open-pit mine near Kirkland Lake. The project wound its way slowly through the bureaucracy. Several times it appeared the city of Toronto would scupper it. But it kept coming back to life until the McGuinty government announced it was officially and finally dead."

I'd like to go on reading the Citizen editorial, because I think all members should listen and hear. "That's certainly the government's prerogative." And I'm not saying that it isn't the government's prerogative to kill this particular proposal, if that's what they want. "But the businessman is now out of pocket for millions of dollars in expenses. He has also seen any expectation of profit

from the project vanish after all these years because the government, which is in effect his business partner, suddenly changed its mind. Clearly, he has to be compensated. And that's why we have the law. The laws governing civil liability are voluminous and complex and we wouldn't presume to say precisely what is owed, but that's what the law is intended to sort out. Every day, individuals, companies or governments pull out of deals," and the law is there to sort out this mess. But the law won't be there this time.

I thought Mr Sterling, who's the dean of the House, gave an excellent speech. Certainly, I want to put on the record how privileged we are to have his unique perspective on this debate. I think he added a good contribution toward it. He certainly got a number of members of the Conservative caucus up in arms. I want to congratulate Norm for his wise judgment and intervention on this debate.

Property rights are important. The rule of law is important. The mean-spirited, vindictive action by this government in this piece of legislation is unbelievable, outrageous, shocking. I would hope that some opportunity for this bill to get further scrutiny will force members of the government to look in their conscience and to strike section 5 of the bill. I don't like the rest of the bill, but section 5 is an egregious violation of the property rights of the proponents. They do have rights that we in this House should not be subject to get away from at whim.

I don't like retroactive legislation. I didn't like retroactive legislation when this government did it with the equity in education tax credit, and I don't like retroactive legislation which affects property rights. That goes whether you like the owner of the property or whether you don't. I think it's unfortunate.

I do want to briefly talk about garbage disposal. It is a difficult and challenging issue. No one is inviting garbage to their home communities. I want to relay a particular example to make the case of why I think this legislation is a concern. We're cutting off an option for Toronto's garbage—not just Toronto, but indeed, the greater Toronto area.

I can recall being in cabinet the day the BSE situation took place out in western Canada, and the state of Michigan, for a period of one, two, three hours, actually closed its borders. The Minister of the Environment of the day came into cabinet and reported this. In a very real sense, we had a catastrophe on our hands as to where Toronto's garbage would go. Where would Toronto's refuse go if the Michigan border was closed? I'll tell you where it's going to go. It's going to go to other landfills in southern Ontario. One of the biggest landfills in the province is in my home constituency of Nepean-Carleton, in South Nepean, the Trail Road landfill, which has just been recently renewed in terms of the number of years it can take garbage in.

I say to the Liberal members of this Legislature, I will come back to this point if for any reason the Michigan border is closed and politicians in the greater Toronto

area throw this back on to this government's desk. Let me tell you, don't think you're going to send your garbage to Nepean. Don't think that people won't hold you accountable and responsible. In Nepean, we take eastern Ontario's garbage; we take greater Ottawa's garbage. So it's not a matter of NIMBY, not in my backyard. We'll do our part. We'll take our responsibilities to dispose of refuse. We support recycling. We support reducing garbage. We support reusing, the three Rs, the whole nine yards. But at the same time we're not going to take Toronto's garbage, and if the Michigan border closes—and I'm going to quote this back in Hansard if it does—we're going to hold each and every one of you and Premier Dalton McGuinty accountable for more garbage going to Ottawa.

Perhaps we'll send the garbage to Sault Ste Marie, if the member for Sault Ste Marie thinks this is so funny. If he votes for this bill, we'll send the garbage to his constituency from the greater Toronto area. But I'll tell you, that will happen. The junior senator from the state of Michigan has a petition with tens of thousands of people having signed it, and that day could come sooner. The responsibility for that will fall squarely on Dalton McGuinty and the Liberal government. We will not accept the greater Toronto area's garbage in Nepean, and I will not allow it to be accepted in Napanee, home of the environment minister, whom I respect. But we will continue to fight to ensure that there are fair policies and that the property rights are respected in Ontario.

**The Acting Speaker:** Questions and comments?

**Mr Peter Kormos (Niagara Centre):** Indeed, Howard Hampton, the leader of the New Democratic Party, the two opposition leaders here at Queen's Park, certainly the more active and vocal one—

**Mr Baird:** Definitely.

**Mr Kormos:** Well, think about it. The other opposition leader hasn't been seen or heard of or from, what have you. Look, I've got to tell you, I'm just dropping in because I'm going to be on a Michael Coren panel this evening. So people who want to watch Coren should tune in at 10 pm on the CTS network, depending on where they are in the province; it's different channels. Michael Coren, 10 o'clock; it will be his Queen's Park panel. There will be a Liberal, there will be a Conservative there and I'm going to be there on behalf of the New Democrats. We're going to try to mix it up, make it interesting. We're competing with stuff like Law and Order and CSI, or whatever these things are.

**Mr Howard Hampton (Kenora-Rainy River):** But not competing with the Leafs any more.

**Mr Kormos:** That's right. We don't have any—

**The Acting Speaker:** Would the member please make reference to the speech that was just given to the House by the member for Nepean-Carleton at some point during the course of his comments.

**Mr Kormos:** In this regard, I listened carefully to the member's speech and it reminded me of the debate we're going to have later tonight on the Coren show at 10 o'clock on the CTS network. Michael Coren is back from

England; he was in England for two weeks. As the folks who were watching it know, there was a sub. So I'm looking forward to carrying the debate from this chamber into the far more active forum that the Michael Coren show provides at 10 pm on the CTS network. I'm looking forward to receiving phone calls from folks down where I live in Niagara. They're always eager to call in to the Michael Coren show. I appreciate them calling in and I appreciate hearing their views and talking to them. I'm eager to hear folks across the province, and indeed now across Canada, call in to the Coren show at 10 pm. Coren is back, as I said, from England.

This matter will be addressed further in the evening here at the legislative chamber by other New Democrats. The assembly is only sitting till 9:30. So when the assembly finishes at 9:30, you've got half an hour to do what you've got to do. Tune in to Michael Coren, CTS, 10 pm. Thank you.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** The member from Nepean-Carleton made reference to section 5 of this legislation, the very oddly described Adams mine lake bill. It's section 5 that does raise a great deal of concern. I'm very pleased that we have members who are pointing out the fact that we do not have the right of property in Ontario. It shows up in legislation like this, where with the flourish of a pen of a minister the crown can sign away the right to property and legal rights as well in a case like this, and the same stroke of a pen hit taxpayers with the compensation that will be required.

Again, in listening to the debate, I wonder if the environment minister really feels that iron ore miners or people who develop a rail haul recycling solution like this should have even a modicum of property rights.

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When we see that these rights have been taken away retroactively, as was mentioned by the member from Nepean-Carleton—to my mind, legislation like this and the road that it is taking us down really seems to fly in the face of the oft-quoted principle of democratic renewal across the way. When you see a piece of legislation that essentially takes away basic democratic rights, the phrase comes to mind, "Thou shalt not steal." I suppose, by extension, this means under Ontario legislation that the government is in a position where they do not have to obey that law.

**Mr Hampton:** I have two minutes, and I just want to say to my esteemed colleague here from Nepean-Carleton that I understand the case he's making for compensation of the property owners, but you need to recognize that some of the people who have a big interest in the mine site are the Cortellucci companies. While the Liberals used to complain that the Cortelluccis were contributing a lot of money to the Conservatives, and they were concerned that you might be doing Mr Cortellucci a favour in return, now we know that the Cortellucci companies are contributing hundreds of thousands of dollars to the Liberals. So I have to tell you, I don't think you have to worry about the Liberals compensating the Cortellucci companies. I think we can

see that the money to finance that has already moved to the coffers of the Liberal party.

But you know what is almost dangerous about this, and I think some of the Liberal members are going to have to be on guard about this, is they may be supporting and voting on legislation that will benefit the Cortellucci companies financially or benefit the property rights of the Cortellucci companies and they won't even know it. They won't even know it.

And so while I enjoyed the dissertation on property rights from my colleague from Nepean-Carleton, I have to say to him that, given that the Premier is now dancing with the Cortelluccis—it was the Premier who said to dance with the one that brung ya. Well, the Cortelluccis brung the government \$122,000. I don't think you have to worry about the property rights of the Cortelluccis. They will be well compensated by this government. It's already well—

**The Acting Speaker:** Thank you very much. Further questions and comments? OK, I'll return to the member for Nepean-Carleton. You have two minutes to reply.

**Mr Baird:** I want to thank my colleagues from Welland-Thorold and Kenora-Rainy River and particularly my colleague from Haldimand-Norfolk-Brant. Our environment critic, Toby Barrett, is one of the hardest-working members of the Legislature. He has been our critic for the environment. He has done an outstanding job. We have a lot of materials that our critic has prepared to advise our caucus colleagues on this, and I want to thank him and his staff for their hard work. The people of his constituency and Ontario are very lucky to have him fighting for them, and all Ontarians are lucky to have him as an environmental watchdog.

I am concerned that people say, "Why do you have to cause such a ruckus at the Legislature? It should be about the debate." Well, we're sitting here tonight and the Liberals won't even debate this bill. They won't stand up and question and give comments. They're refusing to stand up and debate the bill tonight. So they wonder why we get so angry. Tonight—

*Interjections.*

**Mr Baird:** But there are no questions and comments. I say to the member for Guelph-Wellington, you could have got up and engaged in debate tonight. They vote for evening sittings and then they're too lazy to give a speech. That's absolutely outrageous.

The people of Ontario will see through this. They'll see through this in Hamilton East next Thursday. The people of Ontario will see through this when Paul Martin calls an election. I hear he's scared and he's delaying it even longer, but Stephen Harper will take his message to the voters of Ontario. Stephen Harper and the federal campaign want to thank Dalton McGuinty for all the help they've given him. They're going to get more votes for the Conservative Party at the next federal election because of the promise-breaking of this Liberal Party.

**The Acting Speaker:** Further debate?

**Mr Hampton:** I appreciate the opportunity to say a few words with respect to this legislation. I haven't had a

chance, an opportunity, to speak to it yet. There are a number of aspects that I want to comment on.

First of all, let me say that the idea of shipping Toronto's garbage and putting it in an open-pit mine—formerly called the Adams mine, now more frequently called the Adams mine lake—was a bad idea right from the start. So the fact that this legislation is here is, frankly, long overdue. I think the public needs to understand why it's long overdue. It's because, frankly, government members have had a very difficult time making up their minds what side of this issue they're on. And not to be critical of Mr Ramsay, the member for Timiskaming-Cochrane, who's now the Minister of Natural Resources, but in my time in the Legislature, Mr Ramsay was first in favour of the idea to put garbage in Adams mine, then he was opposed, then he was in favour, then he was opposed. I know that having me recite this probably upsets him somewhat but, like him, I've been around here for a while, and I remember.

Similarly, I know, for example, that there are two members here now who were formerly on Toronto city council. I remember the votes that took place at Toronto city council. In fact, when the two members in question were at Toronto city council, they voted in favour of the Adams mine garbage proposal. So this issue has had a very interesting history within the Liberal Party and with respect to individual Liberal members. When I finally saw the legislation, I thought to myself, "Thank God, they finally made up their minds and they haven't had time to switch." So that's where we are today, and at long last, long overdue, the government has finally reached a decision and it looks like they're going to stick to it. I hope that's the case.

There are some other aspects of this legislation that I believe need to be reflected on, and there are some things which I believe ought to be attached to this legislation which are not there, or are not there clearly. And that's simply this: The province cannot say to individual municipalities that the issue of disposal of solid waste is all your problem, it's all on your plate and the province is going to absent itself, because, let's face it: Every large city, every medium-sized city, even small cities and small towns in Ontario have this ongoing issue of how to dispose of municipal solid waste, of how to dispose and deal with landfills.

The current resolution of this problem for the city of Toronto is simply to send most of the garbage to Michigan. I think anyone who reflects on this issue for just a few seconds would recognize that there's not much difference between sending your garbage to Michigan to dispose of it and sending your garbage to Adams lake, or Adams mine, or Adams mine lake, to dispose of it. One is as bad as the other. In fact, while I think the Adams mine proposal was always environmentally risky, having a plan to continue sending Toronto's garbage to Michigan is not only environmentally risky, but it is politically risky and, most likely, economically risky. I don't need to tell the members of this Legislature, I don't need to tell anyone in Ontario, that the United States, on a number of agreements, simply breaks them.

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We have the issue of softwood lumber. We've had a number of panels now, World Trade Organization panels, North American free trade agreement panels, which have said there is no basis for the United States to put punishing duties on Canadian softwood lumber. Yet our neighbours to the south continue to wave their hands at these international tribunals and say that if it's in their interests, they'll do it.

The Canadian Wheat Board is another example. Farmers will know about this: There has been finding after finding by international tribunals that the United States should not harass, is acting improperly when it harasses the Canadian Wheat Board, yet our neighbours to the south do that because it's in their political interests from time to time to do that.

I think we all recognize that any solution that says, "Well, we'll just continue to send Toronto's garbage to Michigan," is not only environmentally risky but very politically risky and very economically risky. That brings me to where I think the real problem is here.

The government has not outlined what its real strategy is in terms of dealing with this very serious problem of municipal solid waste. We don't see in this legislation or elsewhere a consistent strategy of reduction of waste. We do not see in this legislation or elsewhere a consistent strategy and program of reuse of materials. We have an excellent reuse strategy in Ontario. It's called the Beer Store. The Beer Store is a world environmental leader in the sense that over 90% of the beer bottles that go out of the store containing beer come back as empties. It's a wonderful strategy. We need to emulate and extend that strategy in terms of the reuse of all kinds of materials, yet you don't see the clear and consistent expression of that in this legislation or anywhere else from this government.

Recycling—a clear and consistent strategy of recycling so that where you cannot reuse materials, they will at least be recycled so that with the addition of some kind of process, they can be reused or used in another way. In any case, they avoid going to a landfill site. There's no clear and consistent expression of that.

In many ways, not only is this legislation very late—and it's late because there are so many members in the Liberal government who couldn't make up their minds, voting one way on one occasion, voting another way on another occasion, for it, against it—but the consistent positioning in terms of recycle, reuse or reduce is not here either.

The next challenge for this government—and I predict it will be a real challenge for this government.

### *Interjections.*

**Mr Hampton:** I can tell, Speaker, by some of the comments that I've touched a nerve here with some members of the Liberal Party. They don't want to be reminded that many of them were in favour of Adams mine, and then they were maybe against, then they were in favour and then maybe against. They don't like it when you remind them of their difficulty in terms of having any kind of consistent position.

The real challenge which lies ahead is for the Liberal government to come forward with a consistent strategy of reduction of municipal waste, reuse and recycling which will absolutely minimize the amount of materials that are going to landfill sites. I, among others, am going to be very interested to see this happen. I'm going to be very interested to watch this and see if it takes place. The reality is—and we don't have to look too far down the road; three, four or five years—that if reuse, reduce and recycle doesn't happen very quickly, we're going to have a major problem on our hands in Ontario.

**The Acting Speaker:** Questions and comments?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I simply have to respond to the leader of the third party, my colleague Mr Hampton. First of all, he says that Liberal members have voted one way and another on this issue. Show me the Hansard. There's no record of that; it has never happened. This is part of our campaign commitment. We said we'd do it and we've done it. And you're voting in favour of it. My goodness.

We talk about flip-flops. I was just reviewing the Toronto Interim Waste Authority and what happened there, and the NDP's inability, when they were the government, to come to terms with Toronto's waste. So we need no lectures from that member on the whole issue of waste management.

With respect, when we find new landfill sites, the first challenge is diversion. I noted that the member opposite, Mr Hampton, didn't talk about diversion. He didn't even mention it. We've set some of the most aggressive diversion targets in the western world as part of our plan and we campaigned on that: 60%, something that was never achieved under the NDP. I wish my colleague Mr Bradley could be here tonight.

**Hon David Ramsay (Minister of Natural Resources):** Mr Blue Box.

**Hon Mr Duncan:** Mr Blue Box. There was a government that knew how to deal with waste and divert it.

At the end of the day there have been a number of initiatives that this government will take. We don't need lessons about how to deal with the Toronto situation from a government that simply failed to do anything. This party has set tough diversion goals. We will achieve them. I'm glad the member for Kenora-Rainy River is supporting this bill. We're delighted to have his support, recognizing that this is the right thing for the government to do.

**Mr Barrett:** The member for Kenora-Rainy River described some of the earlier positions taken not only by the member from Timiskaming-Cochrane but also by the Liberal government. The question was raised, "Show me the Hansard." Well, there's an awful lot of information in the standing committee debates on this. I suggest that people do some historical research on that.

You mentioned a former Liberal environment minister, Mr Bradley, and I guess I ask the question, with

environmental issues, show us some legislation. Have you ever passed a piece of environmental legislation?

**Hon Mr Duncan:** Yes.

**Mr Barrett:** Please name the bill.

**Hon Mr Duncan:** In this session?

**Mr Barrett:** No. Let's go back to the mid-1980s. I have raised this question again and again. I asked the Liberal members, "Give me the name of an environmental piece of legislation that has been passed." I have yet to receive an answer.

It is important to take a look at Hansard, to take a look at what Mr Ramsay has explained over the years in standing committees where the issue of the Adams mine has been discussed. When you look at the history, go back at least to 1989 under the Liberal regime. At that time, the Adams mine was listed as a possible landfill for Metro Toronto in response to a request for proposal from, at the time, the Solid Waste Interim Steering Committee. Fast-forward to 1990. Metro Toronto, back in 1990, selected Adams mine as the preferred site. To use that expression, the rest is history.

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**Mr Baird:** I want to associate with my comments the comments of the member for Haldimand-Norfolk-Brant, and I want to congratulate the member for Kenora-Rainy River.

I'm surprised the member for Kenora-Rainy River has not talked about his experiences on the doorsteps of Hamilton East. I am surprised he didn't include that.

I have some questions for the member for Kenora-Rainy River. First, I want to know, are people thanking you for Dalton McGuinty keeping his promises at the door? That's my first question. My second question is, are they bringing up the corrupt federal scandal involving sponsorships at the door? My third question is, has anyone said to you they think Dalton McGuinty is honest and is keeping his campaign promises? My fourth question is, are they saying that they might have to put more garbage in the Hamilton dump because of this bill passing?

My other question is, are they asking the member for Kenora-Rainy River why they have not kept their promise to close the P3 hospitals? My other question to the member from Kenora-Rainy River is, are people asking him why they broke their promise not to raise taxes? My other question to the member for Kenora-Rainy River is, are they asking you why they didn't allow a free nomination meeting in that by-election?

I also want to ask the member for Kenora-Rainy River, have they talked about this government's orgy of new spending of \$3 billion? I want to ask the member for Kenora-Rainy River, in Hamilton East are they talking about breaking the taxpayers' protection pledge? I want to ask the member for Kenora-Rainy River, when he goes to Hamilton East, are they asking about this government breaking all of its promises? I want to ask the member for Kenora-Rainy River, are they saying that this government and this Premier are a breeding ground and cesspool for cynicism in politics? I look forward to the answers.

**Mr Jeff Leal (Peterborough):** On a point of order, Mr Speaker: My good friend, my learned friend, from Nepean-Carleton certainly is not talking about Bill 49, the Adams mine issue, so I would ask your guidance, Mr Speaker, on this matter to rein him in a bit and get him back to the topic.

**The Deputy Speaker:** I heard the member for Nepean-Carleton make reference to the speech by the member for Kenora-Rainy River. I'm not going to entertain any more points of order on this.

I would call for one additional question and comment.

**Mr Dave Levac (Brant):** Unlike the ranting of the last member, which hurt my ears a little bit, I'd like to refer to the bill. What I'd like to refer to in the bill is to remind the environment critic from Haldimand-Norfolk-Brant—I believe he's the critic of the environment. He indicated and brought up the concern that city council got the bid from Kirkland Lake. I want to take it to the next step, which I'm sure he would want to us recognize, and that is that it was done on an agreement that, after the negotiation process, they would be able to come to the final conclusion in the vote. Quite frankly, what happened, and I remind this House again, was that Toronto city council was told by the proponent that the proponent wanted city council to take liability in case anything went wrong. City council went back and said to the proponent, "There's no way we should be taking responsibility and liability if anything goes wrong with the Adams mine. Why should we be doing that? Don't you have enough faith in your project to take liability for the project if it goes astray, if it leaks and leaches?" So quite frankly, that's the second part of the picture that the critic did not give us.

I want to make it clear that Dr Howard, who took care of Walkerton, did a study on this and said quite clearly that there were some concerns that he had about the water leaching into the property. For the member who asked us the very same question, let's talk about Bill 218, the Environmental Protection Amendment Act, from the Honourable Mr Bradley, the Minister of the Environment. It got royal assent on June 19. That's just one journal, and we can give you all kinds of examples.

Quite frankly, speaking to the member from Kenora-Rainy River, I would suggest to him very clearly I'm waiting for him to stand up and vote "yes" on the bill.

**The Deputy Speaker:** The member for Kenora-Rainy River has two minutes for reply.

**Mr Hampton:** I look forward to this opportunity to respond. To the government members who say, "Name names," all you have to do is review your own Hansards, because Mr Berardinetti from Scarborough Southwest was here just the other day, and in his speech, he said, "Hey, when I was on city council, I voted in favour of the Adams mine project." And I know that Mr Duguid, the member for Scarborough Centre, voted in favour of it as well. I remember in about 1991, when the infamous Mr McGuinty was making the rounds, trying to get support for his proposal, he said very clearly, "I have the support of the MPP for Timiskaming, Mr Ramsay." So I've

named names. This is all part of the written history. You're welcome to go back and review the votes at city council, to review the Hansards here and so on.

I was asked a number of other questions, so I want to reply to those. Yes, in Hamilton East, broken promises by the Liberals are indeed an issue on the doorstep everywhere, and the atrocious way that the Liberal Party has treated Sheila Copps is on the doorsteps everywhere, and the \$100-million sponsorship scandal is everywhere. Yes, also on the doorstep is the party that says that it believes in a broader, more open, more full democracy, yet doesn't have nomination processes for their candidates. They appoint them. That's also on the doorstep.

Do you know something else? You know what else is on the doorstep? Andrea Horwath, the NDP candidate, is an excellent candidate. That's on the doorstep too.

**The Acting Speaker:** Further debate?

**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure to join the debate this evening on Bill 49, An Act to prevent the disposal of waste at the Adams Mine site and to amend the Environmental Protection Act in respect of the disposal of waste in lakes.

For me, the problem with this bill is not what it's trying to achieve. I don't think it's a good idea to dispose of waste at the Adams mine site. In fact, just a few weeks ago, I met with the Ontario Federation of Agriculture in my riding of Parry Sound-Muskoka, and that issue was raised at that meeting. In fact, constituents in my riding have raised the issue of being concerned about garbage being trucked through my riding on rail and what would happen if there was a train derailment. So the issue is not whether it's a good idea or not a good idea. I think some people are in favour, some are against. I personally don't think it's a good idea to dispose of waste at the Adams mine, but it's the way the government is going about it. I'm concerned with property rights and I'm concerned also with them dealing with the real issue, and the context of the debate.

The context of the debate is that each and every day, we have 125 trucks heading to Michigan, taking Toronto's garbage to Michigan. What is going to happen when the border shuts in Michigan? I would like to just quote from the current Democratic leader and presidential candidate John Kerry, who recently stated: "I don't like it.... We shouldn't import trash from other countries. I plan to review this issue in the first 120 days of my presidency." So what is going to happen when the US decides to shut that border?

That's why I think that what we should really be looking at is diverting more waste from landfills. That's why I have just recently introduced a private member's bill which works toward that goal. My private member's bill is the LCBO Deposit and Return Act, 2004. I think that act would have great benefits for the province of Ontario. So we need to look at waste diversion. The government has a goal of 60% diversion, but they are now sticking to a blue box program which has proved in many jurisdictions not to be the optimum way of keeping garbage out of landfills.

Let's look at beverage containers, for instance. In this case, a deposit return system would be a far better way to divert waste from getting to landfill. This is the kind of program we should be looking at. As I mentioned, on Earth Day I introduced a private member's bill that would be, I think, a first step.

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You just need to look at British Columbia, where they have a complete deposit-return system. It's on pretty much all beverage containers, not only liquor and wine bottles—soft drink containers, Tetra Paks—and it works. I think it's human nature. If they put money down and know they're going to get the money back, they're keen to get that money back. So you have people out collecting waste on the side of the road. You have people returning bottles—soft drink bottles, liquor bottles—for that deposit.

There was a study done in 2000 on the situation in British Columbia. This is the kind of difference their deposit-return system is making:

Beverage materials recycled in short tons: 21,420 tons. If they had Ontario's system, they would only recover 12,890 tons.

Landfill space saved in cubic yards: 140,665 cubic yards of landfill space saved in British Columbia in the year 2000 with their deposit-return system. If they had Ontario's system, which is the optimum, the best, curbside system, the best blue box system, they would have only saved 69,747 cubic yards.

Litter on the sides of our roads: In British Columbia, they have about a 50% reduction in the amount of litter scattered around the province because they have a deposit-return system which includes all containers. So in British Columbia—I don't know how they get this exact number—5,749,986 containers didn't end up on the side of the road that would have had they not had a deposit-return system.

Barrels of oil conserved: 178,284 barrels of oil conserved because they have a deposit-return system.

Additional reduced atmospheric emissions in metric tonnes: 1,667 metric tonnes of reduced atmospheric emissions.

Reduced waterborne emissions in metric tonnes: 301.

Reduced industrial emissions in metric tonnes: 18,818.

Those are some of the environmental benefits that British Columbia is enjoying. This was based on a year 2000 study of their deposit-return system. Those are some of the environmental benefits they're enjoying because they have a deposit-return system.

In this country, eight out of 10 provinces currently have a deposit-return system, but Ontario does not. So I think it's time for the government to be looking at getting serious. I think they should, as a first step, implement my private member's bill to start with the liquor store and wine and liquor bottles, then move from there on to all containers and implement a complete deposit-return system.

You only need look at the Beer Store to see the huge success here in Ontario, with a voluntary system, that the

Beer Store has had. They recycle—reuse—97% of the bottles in the Beer Store. In British Columbia, with their complete deposit-return system, 87% of liquor bottles are recycled, compared to Ontario, where it's a much lower figure. The LCBO generates approximately 74,000 tonnes of container waste each year here in Ontario, much of the glass put in blue boxes that ends up in landfills anyway because there are few markets for the green glass bottles. So I think we need to move toward that deposit-return system. I think it would be a huge improvement and would help deal with some of the waste challenges we're facing.

I think we also need to look at other systems. I'd just like to go back to British Columbia for a second. In British Columbia, where they've had this system for a few years, one of the interesting points is that there is a very high level of support for the BC system. There was a study done of attitudes and behaviours and how they feel about the deposit-return system. That study showed that 96% of the people in BC who were surveyed think the deposit program is a good idea. That's a pretty amazing number; 96% of the people living with this system think it's a good idea. The main reason for their support of the program is that the program gives people an incentive to recycle. The inconvenience of returning containers for deposit appears only to be a minor concern.

So we can have some huge environmental benefits if we implement a deposit-return system. It's something I would like to see moving ahead, and I hope the government supports my private member's bill—Bill 61, the LCBO Deposit and Return Act, 2004—as a first step toward being more environmentally responsible.

I also think that Toronto needs to find solutions to deal with its own garbage. We have to look at all possibilities, including incineration. We need to look at how Europe uses incineration very effectively; some of the benefits include generating electricity from incineration. The damage you're doing to the environment, you can measure and improve the process as time goes on, as compared to a landfill site. As far as I'm concerned, a landfill site is a time bomb which risks one of our most important resources, and that is water. So I think we need to be open-minded and at least consider incineration.

In terms of this bill, the other issue I have with it—and I've only got a minute left—is the question of property rights. As I said, I'm not in favour of landfill sites, but the fact of the matter is, there was a long process that the proponents of this landfill went through over many years, spending many millions of dollars in following the process. So their property rights need to be respected. I think government needs to stick to its word. It needs to respect its processes and give businesses and individuals some warning when it's going to change its mind on things.

In conclusion—because I'm down to 15 seconds—I would like to say that I think the government really should be looking at a deposit-return system. I think that would go a long way to solving the waste problems in this province.

**The Acting Speaker:** Questions and comments?

**Mr Cameron Jackson (Burlington):** First of all, I want to commend my colleague from Parry Sound-Muskoka. As he was speaking about his commitment to diversion of potentially recyclable products at the LCBO, I'm reminded that it was his father in this House—I know because I served under both him and the environment minister he appointed, Andy Brandt. I find it passing strange that Mr Brandt is now running the LCBO. I recall when he was the minister, he commented with a certain degree of commitment and passion about this whole issue of diversion.

I want to encourage my colleague, the member for Parry Sound-Muskoka, in his efforts with his bill, but also in any discussions that the government may be having with Mr Brandt, who is running the LCBO. The original environment minister for this province was George Kerr, my predecessor, and Andy Brandt ended up being about the seventh or eighth environment minister in our province's history. I look forward to the continuation of that debate.

I come from Halton. My colleague referenced in his comments the issues around diversion. Halton has one of the highest rates of diversion in the province of Ontario. We're very proud of that. It also means that our success makes us very vulnerable to the fact that the actions of this legislation have rather dramatically limited the options for the city of Toronto. Halton simply cannot be one of the solutions to receive the garbage from Toronto that can no longer go to Michigan, as we are concerned. So I want to commend my colleague for his eloquent comments. I support them.

**Mr Baird:** I want to congratulate the member for Parry Sound-Muskoka. I may not always agree with the member for Parry Sound-Muskoka, but he has been pushing this issue of environmental recycling and reuse. I had questions and concerns about the policy that he had talked about. A few short hours later, folks were in my office and had more information for me to read about the reuse of products. So he's someone who not only takes this issue incredibly seriously, but is someone who has done his homework in this public policy process. So I want to congratulate him for his remarks.

I, too, share the member's concern with respect to property rights. I agree with him when he says that no one likes landfill and we've got to do more to encourage reduction, reuse and recycling, so that our landfills are less. I did notice that the Liberal government has delayed their deadline for 60% reduction for a number of years. They delay a lot of promises and delay a lot of commitments. They say it'll take place in so many years, and I'm sure it will be in so many years. We just don't know in which so many years it will be introduced.

I want to congratulate the member for some good remarks. I do hope that the members attending will look at the issue of property rights. You have the majority, you will do what you wish with the vote, but section 5 of the legislation is wrong. It's bad public policy. I ask you to consider it, to reflect on it. Just strike that part out of

the bill. There will be no garbage going to Adams mine. I think that's conceded, but section 5 is wrong. All governments, my own included, have made mistakes, and I say to you that this is one. This is a thoughtful objection. You should reflect on it and remove section 5 from this piece of legislation.

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**The Acting Speaker:** The member for Parry Sound-Muskoka has two minutes to reply.

**Mr Miller:** Thank you to the member for Burlington for his comments about diversion and my private member's bill to encourage a deposit-return system, which I see as a first step toward having a deposit-return system on all containers.

The member for Burlington brought up the Halton dump. I note in the Hamilton Spectator of April 17 that the Halton area is very concerned that they're going to end up having to deal with Toronto's garbage. I read the headline: "Halton Fears Getting TO's Trash; Environment Minister Points Out Her Powers to Force Acceptance in Landfill Crisis." It sounds like the member for Burlington is raising some very valid concerns. I say that Toronto should be dealing with its own garbage in its own area.

I also thank the member for Nepean-Carleton for raising some very valid concerns to do with property rights. He mentioned section 5 in the bill. I think that is a very valid concern. I'll just read section 5:

"Any cause of action that exists on the day this act comes into force against the crown in right of Ontario, a member or former member of the executive council, or an employee or agent or former employee or agent of the crown in right of Ontario in respect of the Adams mine site or the lands described in schedule 1 is hereby extinguished."

I think that's the key part, "is hereby extinguished." We have to be very careful about taking away property rights in this province. We have to be very concerned that we respect property rights and business rights for lots of good reasons. The member from Nepean-Carleton raises some very valid concerns.

This government has to deal with the waste problem. It has to deal with where they're going to be putting new landfill sites, and it has to look very seriously at improving diversion. I think they should consider a deposit-return system.

**The Acting Speaker:** Further debate?

**Mr Jackson:** I'm very pleased to comment on this legislation because I am, as I said earlier, from Halton. We in Halton are in a very unique position in this province. In the limited time that I have, I'd like to scope out some of the history of landfills and political interference that has occurred in this province. I believe that the testimony to this legislation is that it is about to fall into the same problem and the same consequence if it doesn't heed the lessons of history.

The story in Halton goes back quite a few years. In fact, it was over 30 years. As high school students, we were confronted with the challenges of the environment

and living in a shrinking global environment. We were just becoming sensitized as a society. Ontario appointed its first Environment Minister, George Kerr, who came from Burlington. We had a landfill site that was in a watershed area not far from Burlington Bay or Hamilton Harbour. It was the Bayview site. It was very controversial, but the government of the day, of to which I attach my loyalty, took it upon itself to interfere in the process of the selection of this site by suggesting that other options would be considered outside of the area and then interfered with the decision to put one in the Milton area. This, in turn, cost the Conservatives the seat and brought forth Julian Reid as a Liberal to this Legislature.

The first point I want to make is that this government is about to make the same mistake we made. It cost the Tories a seat over it and it took them many years to get it back.

The reason I raise it is because I read with interest the member for Oakville's comments about this bill, and not once in his comments did he defend Halton. He's very proud of Halton. He was very clear to say he was proud of the diversion rates. But Mr Flynn, having served on regional council, has a virtual library of public comment where he has condemned any government that would in any way, shape or form compromise the principle that the Halton landfill site should at any time be forced by any level of government to receive their neighbours' garbage.

The reason he was able to say that as a councillor was very clearly that Halton was the first test case in Ontario's history. Halton is, per square foot, the most expensive landfill site that has ever been developed in Canada. Just to get it to an environmental assessment was \$40 million.

The story went on. The government of the day had to actually come up with new legislation as it followed all the court challenges and the private property rights that were being abused through the processes and refined it to what we have today, which is probably one of the best environmental assessment processes anywhere in the world, and it works. But it doesn't work when there's political interference.

What I find interesting is that the member for Oakville, who was one of the strongest voices as a councillor against any attack on that site, is now not only silent in defence of the Halton landfill site but silent in the defence of Halton taxpayers and silent on the support for his colleagues on Halton regional council, whom he sat with for a dozen or so years, where they have by resolution told this House and this government that under no circumstances should Halton have to be forced to take garbage from a neighbouring jurisdiction.

Our regional chair, Joyce Savoline, wrote to the new minister, Mrs Dombrowsky, in a letter of April 8 in response to her letter of March 24, "The regional chair expresses dismay that the minister refuses to provide assurances that Halton will not be forced to take garbage from within the GTA at some point in the future."

This is a guarantee, I might add, that the previous Conservative government was able to give to Halton on

several occasions. As a member of Privy Council representing Halton region at the cabinet table, I was called upon many times as we in this province developed our greater Toronto area planning frameworks, as we discussed the division of local services review, and the decisions to ensure that upper-tier municipalities retain responsibility for waste management, that upper-tier municipalities maintain their autonomy and their protection for their landfill sites.

This is perhaps the number one issue, along with making sure that a full environmental assessment occurs with any potential highway that might cut through the Niagara Escarpment in Halton region. These are the two most significant issues facing our community, and we will fight tenaciously.

With the government's intervention with the Adams mine bill, they have set in motion a set of circumstances which are going to compromise the future of the member for Oakville. By his own hand and by his own comment, he has not defended vigorously that he will fight his own government, and put it on the public record that he will fight his own government, and insist that he get a commitment.

I find it interesting that the Minister of Northern Development can go to the cabinet table and demand that his promises be kept, and that a bill of this magnitude could be crafted in order to protect his political future, but, as we know, the member for Oakville does not sit at the Privy Council or the cabinet table, and perhaps his voice, like his concerns on behalf of Halton, will not be heard as seriously as Mr Ramsay's, nor are they being considered for a clear and unequivocal statement from the minister. So the government is willing to tell the people of Kirkland Lake that they won't have to have a landfill site, but the government is unwilling to provide the assurances for those of us in Halton region.

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I make these comments on behalf of my colleague the member for Halton, Ted Chudleigh, who has worked along with me for the last 10 years directly with the regional chair, Joyce Savoline, and members of council, including the current member for Oakville, while he was on council in Halton, to ensure that Halton's excellent example has been—

**Mr Levac:** On a point of order, Mr Speaker: I was listening very carefully to the member, and I'll try to give him as much time as possible to try to not do this, but in the standing orders in "Rules of Debate," section 23: "In debate, a member shall be called to order by the Speaker if he or she ... imputes false or unavowed motives to another member." I am quite concerned about this type of talk about the member from Oakville and I'd like to know whether or not that's an appropriate way to speak about another member in this House.

**The Acting Speaker:** Quite clearly, the standing orders preclude a member imputing a motive in context of a speech, and I would certainly remind all members of the House that that is the standing order. I'll return now to the member for Burlington.

**Mr Jackson:** For the record, I did not indicate that the member from Oakville enjoyed the position he's now taking. That would impute a motive. I said that he finds himself in a position where he cannot defend the very region and the very policies and the very motions that he approved and passed by his own hand when he was a councillor. That's what I put on the record.

The member's here, and if he wishes to put on the record tonight his absolute commitment—listen, all of these are tests for those of us in public life. I had no difficulty saying to my Minister of Transportation that under no circumstances should any extension of the mid-peninsula highway going through Halton proceed without a full EA. I had no difficulty making that statement. I had no difficulty making that statement when I was sitting at the cabinet table, I had no difficulty making that statement when I stood in the public and I had no difficulty in this House. If I suffered any consequences from that, it certainly wasn't my ability to sleep at night, because that's what I told my constituents I would do, and that's in fact what I did do.

Bottom line: Halton is in a very precarious position, and the Adams mine has been a lightning rod of concern for Halton residents that we are very vulnerable at this point. We are concerned that property rights are being trampled by this government in this legislation. In all likelihood, that's a major reason for why it should not be approved and passed at this time.

**The Acting Speaker:** Questions and comments?

**Mr Kevin Daniel Flynn (Oakville):** I didn't feel impugned or imputed, or whatever happened there, but I certainly did want to stand up. The Minister of Colleges and Universities has changed somewhat since I was in the House last, and may want to shave.

I did want to speak to the Halton issue, though, because I did hear some of the comments that were made previously. I think the Adams mine and the landfill situation in Halton aren't linked in the way that the previous speaker has just outlined. They certainly are issues about landfill, they are certainly issues about waste diversion and a waste strategy, but to try to link them in the way they've been linked is simply not sensible, in my opinion.

The Adams lake mine would have taken Toronto's garbage, trucked it up to the mine and thrown it in a hole some hundreds of miles away from Toronto. What we've done in Halton is exactly the opposite, and that is, we've become a self-sustainable community. We took our responsibility seriously as a community, we were able to locate a landfill site in our community and now the time has come where other municipalities in the GTA are finding that they have a problem with landfill. What we are saying is that we fulfilled our responsibility in the past in a proper manner and that Halton does not have a problem. If you leave Halton alone, if you leave its landfill alone, it is a region that has solved its own problems. It's time to get serious about the Toronto problem and the GTA problem. The solution to that, however, is not the Adams mine.

**Mr Barrett:** The member from Burlington did talk about Halton and the Halton landfill site. We just heard

that the rail haul recycling site in the Adams mine may not be linked to any concern in Halton. I beg to differ. I've certainly had discussions with the member from Halton. He's concerned, and as we heard from the member from Burlington, there's a landfill site there. It's a very expensive landfill site, and there is concern in Halton about taking garbage from other jurisdictions.

Why would they be concerned? Well, because one option is in the process of being eliminated, and that's rail haul to a distant site. Another reason to be concerned is that there is a large body of opinions opposed to the 125 tractor-trailers that are travelling Ontario's highways. There's certainly opposition coming from London, opposition coming from Sarnia and, certainly, opposition coming from the state of Michigan.

The member from Parry Sound-Muskoka made mention of the tractor-trailers travelling Ontario's highways. As I understand, the full load goes through Sarnia across the border, the empty tractor-trailer is returned through Windsor, and then back up to the Toronto area. That's a movement every single day of a million tonnes of Toronto area garbage, waste from not only Toronto but also York, Peel and the Durham region. This waste goes from Toronto to Sumpter township, Michigan, the Carleton Farms landfill, and that's not going to go on forever.

**The Acting Speaker:** Further questions and comments? I'll return to the member for Burlington. You have two minutes to reply.

**Mr Jackson:** First of all, I can't believe that the member for Oakville, who took his two minutes to say some nice things about Halton, still did not take the occasion to put clearly and unequivocally on the record that he'll fight any efforts to dump Toronto's garbage in Halton.

The reason I haven't taken a shot at the member for Timiskaming-Cochrane is simply because I admire any person who will stake their political career on a principle, which he did. He said, "I will resign if you go ahead with this site." You have to respect that, you have to admire it, and you have to acknowledge it. Now, I don't think that's terribly good public policy in every case, but he has delivered on the promise he made to his constituents that he would find a way, politically or otherwise, to eliminate it.

What we're pleading with the member for Oakville is for him to use his influence to whatever degree that is to support his region and his colleagues that he sat on regional council with for so many years. He has been silent in that regard in his lengthy speech on April 22, which doesn't reference the fact that Halton is genuinely concerned, by resolution, that this intervention in the legislative process for finding landfills is going to have a consequence with dire repercussions for the citizens of Halton.

As I said, historically, when our government did it 25 years ago, it cost us a seat. I suspect that if it isn't for your own political seat, it should be for good, sound, environmental reasons, I say to the member for Oakville.

My regional chair, Joyce Savoline, expects me to stand in this House and to argue vigorously that this government must commit to a strategy that will not allow Toronto's waste diversion to find its way into Halton's dump.

**The Acting Speaker:** I'm pleased to recognize the member for Oxford.

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**Mr Ernie Hardeman (Oxford):** With the permission of the House, I will be sharing my time with the member from Cambridge. It's a privilege to be able to stand up and speak to Bill 49, An Act to prevent the disposal of waste at the Adams Mine site. It does go on to say it's going to amend the Environmental Protection Act with respect to the disposal of waste in lakes. I guess I have to take it from that that there are two separate parts to the bill.

When you look at the bill and you read it carefully, it in fact changes the definition of "lake" to include the Adams mine. If we could have done that under the Environmental Protection Act, then it would just be to stop disposing of garbage in a lake. I'm not aware of anyone else having a proposal before anyone that they were going to dispose of garbage in a lake. So I presume that that's the intent here.

There are two things that bother me as the member representing the people of Oxford. One is the present disposal of waste in Michigan. Obviously, all the waste—and I think it is 125 trailer loads every day—is being trucked to the US, to Michigan, for disposal. All the municipalities along the 401 corridor to Windsor are concerned about that happening. What's happening here is that we all know that it's the municipal government, the towns and the cities, that are responsible for waste disposal.

Toronto and the people have been working toward achieving a disposal site, but now the province has stepped in. I think it's been going on since 1989. They've been trying to get approvals for this site. All of a sudden it goes back to square one, so there is no site in sight. I guess that's a bit of a play on words, but there's no site in sight, so we have to assume that it will continue to be transported down the 401, where all of our communities have grave concern.

I also share the concern of the member for Burlington, who just spoke. He suggested that the municipalities along that corridor that do have landfill capacity at the present time for their own use are very concerned that when Toronto no longer has a place to put the waste, they will blame the province for stopping it from going to this site that they've been working on all this time, so then the province will be looking at capacity and all the sites along that corridor to fill.

I can tell you that last year, when we had the border closed because of the BSE situation with our cattle, it was only closed for a day or two when I was contacted by my municipal officials, who said that under no conditions would they be willing to discuss, or have discussed, the possibility of using the landfill site in Oxford

for disposal of Toronto's waste. In fact, my local paper stated that one of the county councillors said he would lie on the driveway and stop the trucks from getting in. So they're very serious. They didn't want to do that, but the bill, although it stops the further processing of this new pit, does nothing to suggest what we're going to do with the waste.

We're making some gestures: We're going to start recycling; we're going to do waste reduction. I want to say that I got into politics on the issue of landfill. The regional landfill site in my area is close enough to my house that I hear the bulldozer backing up every morning with the alarm—unless, of course, I get up early enough to get ahead of him.

My municipality, which I had the honour of serving, was the first in Ontario—the second in Canada; there was one in British Columbia—that started mandatory recycling. Incidentally, that reduced the waste being produced by 20%. So far, we haven't seen that anywhere in Toronto's future, that they will do that in order to reduce the need. Even if they do, we have to remember that they will still need landfill capacity. Reducing the 125 trailers a day by 20%, there will still be far too many to put into the sites that are presently available.

There's absolutely nothing in the legislation that tells us what they're going to do with the waste, other than, "We're not going to put it there." The minister has been asked a number of times in this House to suggest what the alternatives are if the border should close, or if they can no longer truck it that far. She said they were going to find alternatives: "We're going to try recycling, we're going to do a lot of things, but we're going to find alternatives."

If this is an example, since 1989, and every step of the way, the applicants have received approvals, yet here we are: With the stroke of a pen everything is gone and we go back to square one. If we're looking at 15 years before we get another site, and then still have to take a chance as to whether it will be approved, I don't know what they are going to do with the waste.

More importantly, I just want to ask the government, as they introduce this bill, why they think anyone in the private sector or in the public sector would start this process and go through all this, if at the end of it, having done exactly what they were supposed to do every step of the way, the answer is still, with the stroke of a pen, "Sorry, but not here." There is absolutely nothing that deals with that.

If that's what they were going to do or intended to do, I would have thought the bill would have changed the Environmental Assessment Act, I think it is. I would have thought they would have changed the rules so that people would know the reason this application didn't make it is because what we had in place was not appropriate, so we can't follow that same process. That's not what it does. They're just saying: "This one's no good. Follow those same rules." Why would anyone follow those same rules to get to where these individuals got to with this legislation being introduced when they

were, I believe, one approval away from starting the development of the site? I think it's the wrong thing to do.

Incidentally, I have no idea whether it's the right thing to do as far as if it's a good landfill site. I want to say that I have some people whom I know quite well, who are somewhat related to me, and live rather close to the site. I can assure you they are not supportive of having the site there. I'm not qualified to suggest it's the right site, but I am qualified to read all the things the applicants have done. They followed every rule and got every approval. To take their rights away from them at this stage of the game is wrong.

**Mr Gerry Martiniuk (Cambridge):** There are only three minutes left so I will restrict my comments to property rights. One issue that hasn't been emphasized now is that this bill, in fact, removes property rights from various individuals. That, in itself, is not unusual in Canada, and that is the unfortunate aspect of Canadian life I wish to address.

Unfortunately, when our Constitution was passed some years ago, property rights were not enshrined as rights. As a matter of fact, the net result of the Constitution was the removal of property rights as enshrined rights because the common law, laws that grew up over the centuries in the United Kingdom, recognized some aspects of property rights. But people have been trying to reverse that situation because property is important. Taking away property from an individual without compensation is not something that should be applauded.

One Garry Breitkreuz, the Alliance MPP for Yorkton-Melville, has tried four times at the Canadian Parliament to strengthen the Constitution to include property rights. On his last attempt, Paul Macklin, who is a Liberal member for the Ontario riding of Northumberland and parliamentary secretary to the Minister of Justice, came out against the enshrinement of property rights, saying, "We cannot support a motion that could result in the reopening of the question of increased property rights protections that would disrupt the current democratic balance of property rights and other rights, thereby putting into jeopardy social and economic laws and policies that are important to the people of Canada." So that fourth attempt again died on the order paper.

I bring you that aspect of Canadian life to contrast it with life in China. It would seem that China, which is one of the few remaining Communist countries, did in fact incorporate in their present rights and freedoms the use of property as a fundamental right. Whether that's worth much in the glorious republic of China, I can't say, but I think it makes for an interesting contrast.

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**The Acting Speaker:** Questions and comments?

**Mr Barrett:** The member for Cambridge made mention yet again of property rights. This legislation does raise the question: What is our right to own property worth in, I suggest perhaps, the developing republic of Ontario? There is concern, and it's focused through this Adams mine debate.

Both the member for Cambridge and the member for Oxford are former municipal councillors. They know of what they speak with respect to landfill issues, and the not-in-my-backyard sentiments that will continue to grow. We certainly see this with a number of other municipal councillors. I make mention of the mayor of Sarnia, Mike Bradley. He is very concerned about these tractor-trailers that are loaded up with Toronto garbage going through his community. He has indicated: "The main issue is that Toronto should deal with its own waste ... there are already too many trucks on the road and if this garbage has to be transported, it should be done by rail."

I quote the mayor of London, Anne Marie DeCicco, head of what's referred to as the Southwestern Ontario Trash Coalition: "We frankly feel that if you have another 200–300 trucks (a day) without widening the lanes on the highway, it's going to have an impact on traffic and an impact on safety."

Going back to Sarnia's Mayor Bradley, he is quoted as saying, referring to Michigan: "They will craft legislation that will limit what can be taken across the border." This is actually happening. The Governor of Michigan, Jennifer Granholm, on March 26, signed a package of legislation designed to curb the flow of trash into Michigan.

**Mr Baird:** I was impressed with both the speeches of my colleagues, particularly about their steadfast support for property rights. We do live under the rule of law, and the people of Ontario deserve their day in court to have their disputes with governments adjudicated.

As this debate wraps up, I say to the members present that you might consider striking section 5 of the bill in committee, before this comes back for third reading. It's wrong. It's bad. It's bad politics; it's bad public policy. To bring in a retroactive measure such as this is going to send a terrible message.

This is not an issue which is going to be, regrettably, top of mind among Ontario voters at the next election campaign, but it's still important. And I would ask them to consider it.

I say to the member for Haldimand-Norfolk-Brant, this is an issue for Michigan voters. Not only is Governor Granholm looking to cut Toronto garbage off in Michigan, but Senator Debbie Stabenow is collecting petitions, some 160,000 to the best of my knowledge. And every county in the state of Michigan is a key battleground in the upcoming federal election campaign. If it's not a political decision, it will be a health and safety decision, as when the BSE problem emerged, or with another infectious disease like SARS in the future.

I want to thank these two members for standing up for the environment and for property rights, because this legislation, section 5 particularly, is a disgrace.

**Mr Richard Patten (Ottawa Centre):** I couldn't not say something. When I hear the member from Nepean talk about the environment and protecting health and safety and one thing and another, it is somewhat of a disparaging joke. What the Tories are really talking about

is placating some of their friends who had a big-business arrangement in order to—

**Mr Baird:** One guy's name is McGuinty.

**Mr Patten:** Well, there's no relationship to our Premier, as you well know.

The Tories now are backing down the field. Now they're interested in the environment. Now they have a concern about health and welfare. They didn't before; they were looking at big bucks, for some of their big friends to make a hell of a lot of big dollars on all this.

This bill will not only protect the Adams mine and the people of that particular area, but we're talking about a principle of respecting the reality of the environment. You don't dump garbage in a lake, period. It's so fundamentally basic, it's absolutely unbelievable. They bring up issues of property rights for individuals; it has got nothing to do with that. It's a body of water.

**Mr Baird:** It's a body of water.

**Mr Patten:** Yes. Now, all of a sudden, my Tory friends have had a conversion. They now care about property rights, which we all do, of course.

**Mr Baird:** No, you don't.

**Mr Patten:** Yes, we do. We care about that very much. But we also care about the environment. We care about the flora and fauna. We care about keeping the land in Ontario pure. And we care about making sure that municipalities respect the responsibility that they have to deal with their own garbage, and that's the most important thing.

**Mr Jackson:** I just want to commend my two colleagues for their comments in the House. All I wanted to put on the record was that clearly our caucus feels strongly about this legislation, that it should have more exposure to the public, that there should be more involvement and public consultations on this snap bill that was crafted so quickly and craftily.

We in Halton certainly would appreciate an opportunity to have a hearing in our community so that its excellent recycling and diversion numbers can be exposed to the rest of the province, and more importantly, so we can express to the government the absolute political will of the people of Halton that we do not get Toronto's garbage. There has been a process in place; it should be followed. So I will continue to fight for the residents of Halton, and fight this legislation until our citizens receive the justice they deserve.

**The Acting Speaker:** One of the Conservative members has an opportunity to reply for two minutes.

**Mr Hardeman:** There has been a lot of debate on whether the decision to introduce this bill was made on scientific grounds or whether it was politically motivated.

Just in wrapping up, I have here a page out of the House book of the Minister of the Environment. This

would be an answer to a question that someone could pose to the minister. She would then look through her book and find this in there:

"The ministry received an executive summary of a report commissioned by the Timiskaming Federation of Agriculture, which states that the hydraulic containment design proposed for the Adams mine landfill site has not been adequately proven."

Then her answer would be, "The ministry is more than willing to review the full report if and when it is received. If the TFA or anyone have information that indicates the design of the hydraulic trap is not sound, then we urge them to bring this evidence forward for review and consideration."

"To date, the ministry has not been provided with any information that would lead the ministry to have concerns with the approvals that have been issued to date."

"The proposed landfill has received approval under the Environmental Assessment Act, the Environmental Protection Act and the Ontario Water Resources Act."

This is the answer that the minister would give. I find it hard to take that she would read that page out of the briefing book to the general public, and then turn around, bring this bill forward and say—after all the work the proponents have done—that no further evidence is needed: "The bill says we cannot deposit waste at this site."

**The Acting Speaker:** Further debate?

Mrs Dombrowsky has moved second reading of Bill 49, An Act to prevent the disposal of waste at the Adams mine site and to amend the Environmental Protection Act in respect of the disposal of waste in lakes.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; this will be a 30-minute bell.

Order. I've received notification from the chief government whip asking that the vote be deferred until tomorrow at the appropriate time when we do deferred votes.

**Hon Mr Duncan:** I move adjournment of the House.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

The House stands adjourned until tomorrow morning at 10 am.

*The House adjourned at 2021.*

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No.44



Nº 44

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

## Official Report of Debates (Hansard)

## Journal des débats (Hansard)

Thursday 6 May 2004

Jeudi 6 mai 2004



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 6 May 2004

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 6 mai 2004

*The House met at 1000.*

*Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS

### NORTHERN HEALTH TRAVEL GRANT

### SUBVENTIONS ACCORDÉES AUX RÉSIDENTS DU NORD DE L'ONTARIO

**Mr David Orazietti (Sault Ste Marie):** I move that in the opinion of this House, the Legislative Assembly of Ontario should examine the northern health travel grant (NHTG) with a focus on reviewing the criteria and improving the services associated with receiving support from the NHTG, as well as enhancing the administration of the NHTG by simplifying its processing formula.

**The Deputy Speaker (Mr Bruce Crozier):** Mr Orazietti has moved private member's notice of motion number 15. Pursuant to standing order 96, Mr Orazietti, you have 10 minutes to lead off.

**Mr Orazietti:** It's certainly my privilege to rise in the House today to speak to a resolution which is very important to the residents of Sault Ste Marie and also to residents across northern Ontario. This resolution concerns the northern health travel grant.

Mr Speaker, several of my northern colleagues will also be speaking to this resolution: the member for Thunder Bay-Atikokan, Mr Mauro; the member for Thunder Bay-Superior North, Mr Gravelle; and the member for Algoma-Manitoulin, Mr Brown. I want to thank my northern colleagues for their support of this resolution and for speaking to it this morning.

We have some veteran MPPs who know very well the issues related to the northern health travel grant and who have done an excellent job in past years advocating for this program, and this resolution continues to reinforce those efforts.

Before I begin discussing some of the more specific issues relating to the northern health travel grant, I want to thank Minister Smitherman for his support of this resolution and the Ministry of Health and Long-Term Care staff for meeting with me to discuss this issue.

I sent all members a letter briefly outlining this resolution on April 26, and I hope that members from all parties support this resolution, because it is truly a non-partisan issue. It's about access to health care.

What is the northern health travel grant? It's a program that was created under the Peterson government to help reduce transportation costs to individuals who reside in northern Ontario and must travel long distances within Ontario or to Manitoba to receive medically necessary, insured specialty services that are not available in their local communities. This program is absolutely essential to northerners. It exists because of the incredible shortage of specialists in northern Ontario, and we have a shortage of family physicians as well. Certainly in parts of southern Ontario and rural Ontario those difficulties are present as well, but when you look at the GTA and the shortages there, the shortages in northern Ontario are much, much worse. It also exists because we must have equal access to health care for northern Ontario residents.

I don't think we need to spend much time arguing the merits of this program, because they are self-evident to anyone who has any understanding of issues facing northern Ontario residents when it comes to health care.

The northern health travel grant requires residents in the north to be referred by their doctor, dentist, optometrist, nurse practitioner, chiropractor or medical specialist to a health care facility that is at least 100 kilometres away from their residence. The referral must be for services provided for under the Health Insurance Act, and the referral must be to a specialist certified by the Royal College of Physicians and Surgeons of Canada.

In northwestern Ontario this is a concern because many residents face the difficulty of traveling to a specialist in Manitoba, and the certification of foreign-trained physicians is such that they may be able to practise their medical specialty in Manitoba but may not be registered by the Royal College of Physicians and Surgeons of Canada, so it compounds the problem. This is one of the issues we would like reviewed if this resolution carries, and perhaps some of the members from northwestern Ontario would care to speak to that this morning.

The northern health travel grant budget is approximately \$25 million, and through this program each year approximately 161,000 applications are processed for medical services where individuals have had to travel over 100 kilometres for necessary medical treatment. To put that in perspective, you're looking at a population in northern Ontario of 750,000 to 800,000 people. If this were on a per capita basis, on a per visit basis—now, we know that's not quite the case, because some of the 161,000 applications may have been by the same person multiple times. But if it were on a per person basis, this would equate to about 20% of people in northern Ontario

having to travel over 100 kilometres for necessary medical treatment. It's a significant number.

Of these 161,000 applications, about 100,000 trips are by northerners living in more isolated rural communities who have had to travel to larger northern Ontario communities for medical treatment. Almost 24,000 of these trips are by northerners to southern Ontario destinations for specialty medical services. About 15,000 of these trips are by residents living in northwestern Ontario to Manitoba. They can't even get the medical service they need in this province.

What are northerners accessing the northern health travel grant for? The top five areas of referral for the northern health travel grant patients were ophthalmology, facility-based programs such as MRIs, internal medicine, orthopaedic surgery, and therapeutic radiology or cancer treatment. So 161,000 visits, and these are people who are facing extreme health care challenges travelling over 100 kilometres.

The number of people applying for this grant is rising as the demographics in northern Ontario are changing rapidly, and a significant number of physicians in northern Ontario are attempting to retire from their practices, so we have an aging physician population in northern Ontario.

There are some key issues we need to address. The northern health travel grant requires an individual to access a specialist who is the closest to their residence. If we're talking about wait times—and our government is very committed to reducing wait times for essential care and treatment—it's very important that northern residents, and all residents of Ontario, see a specialist as soon as they are able to. If the wait time to see the closest specialist is six months, and there is a specialist slightly farther away but the wait time may be a month or two, it simply makes sense to have that individual travel a little farther to see someone a little sooner. It's in their best interest; it's in the interest of their health. This is an issue that needs to be reviewed in terms of the travel grant.

**1010**

There are program eligibility requirements as currently set out—without getting into specifics about eligibility; I don't want to prejudge the review process and unfairly set expectations about the process—that need to be reviewed.

The northern health travel grant also requires individuals to meet the 100-kilometre limit or threshold. There are some anomalies in this situation, where an individual might be slightly under the 100 kilometres but needs to travel, for example, three times a week for kidney dialysis and do this all year. The number of kilometres they're traveling for essential health care is extremely high. I think we need to take a look at those anomalies and address some of those issues.

The other issue, obviously, is the issue with the Manitoba specialists. There are specialists in the province of Manitoba who are foreign-trained who may not be recognized by the Royal College but can deliver those specialty services. Residents in northwestern Ontario

need to be able to access those people and get the best health care they can.

One of the other complaints about the northern health travel grant is the processing time. We have a very antiquated system in place that requires extensive manual processing of forms. If you call to find out what the status of your application is, oftentimes it's difficult to track because it's not in an electronic form. This also needs to be addressed.

The northern health travel grant cannot be viewed in isolation. There are a number of things we need to do in northern Ontario to assist in improving health care. Northerners would certainly prefer not to have to travel for these services. Under ideal circumstances, we would have specialists in all communities, but we know that's not possible. And certainly many people in Ontario would not want to have to travel these distances if we could avoid it. But since they do, we need to make this program as best suited to their needs as possible, to ensure that we are breaking down the barriers and allowing affordable access to health care for northerners.

We need to work with northern Ontario municipalities to improve their physician recruitment strategies. I spent six years on the city council of Sault Ste Marie. We put in place a physician recruitment program where we provide \$40,000 for a four-year commitment to physicians in Sault Ste Marie. We're pleased to be able to do that. The Northern Ontario Medical School going forward in the communities of Sudbury and Thunder Bay is a tremendous asset to our government. We're investing substantial dollars.

The position of the NDP is coming home to roost here in Ontario. The cutting of seats in medical schools has caught up with us. Northerners and people in this province are paying an incredible price because of that shortage.

We need to review the underserviced area program, and we need to have traveling specialist clinics. I met a couple of individuals in the airport last week who were traveling to Sudbury and then to Sault Ste Marie to provide specialty services to northerners. I certainly thank these physicians and encourage them to continue to come back to northern Ontario.

These are some of the things that in the short term we're going to need to do to improve our health care.

I want to close by thanking you for listening to my comments this morning. I look forward to hearing what other members have to say on this issue and look forward to your support on this resolution.

**Mr Norm Miller (Parry Sound-Muskoka):** I'm very pleased to join the debate on this resolution put forward, that suggests that in the opinion of this House, the Legislative Assembly of Ontario should examine the northern health travel grant, with a focus on reviewing the criteria and improving the services associated with receiving support from the northern health travel grant, as well as enhancing the administration within NHTG by simplifying its processing formula. I am in certainly in support of this motion.

When in government, I supported simplifying and improving the process, and I very much support that now. In fact, I remember a day at the Red Tape Commission when I brought in 30 rejection letters from the northern health travel grant as an example of red tape in government and did work toward trying to improve the system.

Certainly we have lots of experience in our constituency with the frustration people have faced in trying to access the program. I'll read an e-mail I received recently to do with this issue. It says:

"Dear Norm Miller, MPP, and Kay Vollett: This afternoon, Thursday, April 22, 2004, we received two cheques from the Ministry of Health, each for \$205.50 for northern health travel, for 18/06/2002 trips and 10/03/2002 trips.

"This is totally the efforts and work you have given on our behalf, and we are very appreciative. We couldn't have done this on our own. As you know, we tried so hard to be understood.

"We have learned a few lessons. No matter how difficult the situation, don't take instructions from the kiosk in a busy cancer clinic, as this could be served by an uninformed volunteer or staff. Never expect the bureaucracy to understand or help. Hopefully, sometime the Ministry of Health will produce an application form or procedure that is easier for people to process who are under great stress and strain.

"Thank you again for all the help and assistance, and we know the work you have done on our behalf."

It was addressed to me, but I want to point out that it was my staff who did all the work on behalf of that constituent, not me. Kay Vollett, Inge Juneau, Jessie Crisp and Marcia Morrison, my staff, have worked very hard. We get an inquiry to do with the northern health travel grant almost every week. Really, that isn't the way it should be. The system should work for those who are having health problems. It shouldn't be so bureaucratic.

Here are some of the problems with the system. Say you're a cancer patient. For each trip you make for treatment, you have to get a separate signature, an individual signature, from the doctor. That's about the last thing you're going to be thinking about when you're undergoing treatment for cancer. There are some real problems with the process of trying to access the program. You only have six months to do it. Once again, with cancer you may be receiving treatment for more than six months. You're thinking about getting well, not about trying to access the northern health travel grant. We have to make this program work better for those who need it.

I would like to point out that in 2002, I believe it was, the program was doubled under the past government. It used to cover going just one way; now it covers both directions. I believe it's approximately 34 cents a kilometre for both directions over 100 kilometres.

But there could be improvements. There's no regard for the continuity of care. The patient is forced to go to the closest specialist even where there's a lengthy history of care with a specialist at a centre farther away. We have to look at each individual situation.

I have another letter to the Ministry of Health. I'll read a little bit of it that deals with that issue:

"...I am an incomplete paraplegic and have a great deal of pain after driving two hours. I have family and friends in Toronto, which allows me to drive down, rest overnight, and drive back. (This has been working well for me.)" This particular individual was told he would have to go to Barrie. "If I were to go to Barrie, I would have to take a hotel and rest overnight, since I do not have anyone in Barrie that I could stay with. The expense would be too great for me and I would just have to stop."

The program has to look at individual cases.

The paperwork is much too onerous: one application per trip, as I mentioned. Chemo patients can have dozens of trips. Applications must be submitted within six months, even when the course of treatment is ongoing. This puts tremendous pressure on the patient, who should be focusing on getting well, not on trying to fill out paperwork. As I mentioned, I've seen cases where we've tried to help individuals who have had 30 trips for chemo treatment and they've come in with 30 rejection letters. Surely when there's a program of treatment, there must be a simpler way of doing it, that one cheque is issued, or one rejection letter, if that be the case. Or you should be able to set out a schedule of treatment where maybe for each trip the doctor initials a form. There's got to be a simpler way that's going to benefit patients more.

Similarly, as I mentioned, if a patient successfully applies, in the case of chemo treatment they get 25 cheques.

Doctors are still unaware of the program. As I mentioned, you have to get a doctor's signature, so if they're unaware of the program, they may not inform the patient. Doctors need to be more aware of the program so they can help the patients. I think the Ministry of Northern Development and Mines could be of assistance in this situation as well.

## 1020

Those are just a few of the suggestions. I know we have other people who would like to speak to this matter. I think it is a worthwhile idea. We need to improve this program. It seems pretty straightforward and simple, but sometimes in government it's difficult to make these improvements no matter how logical they appear. I would love to see improvement in the program. It is a worthwhile program. Northern Ontario covers pretty much 90% of the land mass of Ontario, and obviously there are some huge distances involved in trying to get to treatment. This is a worthwhile program, and I support this resolution to improve it.

**Mr Michael Gravelle (Thunder Bay-Superior North):** First of all, I want to congratulate my colleague from Sault Ste Marie, Mr Orazietti, for bringing this resolution forward today. All of us representing a northern Ontario constituency recognize that while our goal should always be to provide all needed medical services to each and every community in the north, the reality is and shall probably remain that we will always have to travel to major urban centres such as Toronto, Hamilton

or Winnipeg to receive certain vital specialized services. That being the case, it is only fair that a program such as the northern health travel grant be in place to at least partially compensate our constituents for their travel expenses. Certainly I am grateful on behalf of my constituents, as I know we all are in the north, that the Liberal government in 1987 brought this program to life and at least went part of the way toward alleviating the sometimes astronomical costs associated with travel and accommodation when your constituents are far from home.

Having said that, there have always been flaws in the program, in my opinion, that I felt needed to be fixed. Under the previous government, those of us representing the north focused our attention on the level of compensation that the travel grant program provided. Through an absolutely extraordinary campaign, supported by thousands upon thousands of northerners, we managed to get the compensation level doubled. While it still left many of our constituents out of pocket, it at least provided some needed financial relief.

The problem with our success in that regard was that the government of the day felt they had closed the file on the northern health travel grant program, that all the problems were in essence solved based on that compensation change. But the truth is, there are still adjustments that need to be made to bring true fairness to the program, in my opinion, and these are adjustments related to flexibility and to whom the program should apply.

Today, through my colleague Mr Orazietti, we're being given a perfect opportunity to bring forward some advice as to what changes are needed to improve the northern health travel program. There are few that I want to mention in my remarks today.

I'm going to focus more on the criteria in terms of some of the guideline changes. One of the frustrations that my constituents in Thunder Bay-Superior North have—and it's one that I think needs to be dealt with—is if you live in Marathon or Geraldton and need to get services in Toronto, London, Hamilton or Ottawa, the travel grant program works based on mileage. So they would say Marathon to Toronto is so many kilometres, and they would give you 34 cents a kilometre based on that. The reality in northern Ontario, particularly if you live in Marathon, is that there is a very good chance that you will drive from Marathon to Thunder Bay and then you'll fly from Thunder Bay to Toronto. This makes a lot more sense for a lot of constituents; it actually saves time. This is one of the realities of our situation in Thunder Bay-Superior North; the same with Geraldton, Longlac, Nakina—you're going to drive to Thunder Bay. So there you are, going to Thunder Bay, traveling back, yet the compensation level is only factored in as if you left Marathon and drove immediately east. It's something I've talked about before and something that I hope will be considered.

Another issue I think we need to talk about is those people who are accessing midwives in the north, which is far more common, midwifery being under the Regulated

Health Professions Act, funded by the province of Ontario. If a doctor in a community refers a pregnant woman to a midwife in Thunder Bay—again, that is the example I'll use—because midwives are not deemed to be medical specialists, they are not able to access the northern health travel grant, which seems distinctly unfair in that there are fewer and fewer obstetricians and family doctors who are delivering babies. The fact is that a doctor will refer them to these wonderful people who are working in the midwifery profession in Thunder Bay, frequently for prenatal care and low-risk pregnancies, but they are certainly providing some relief to the medical profession itself, to the doctors who are doing it.

I've written a number of letters on this. We'll continue to make the case that I think the midwifery profession is one that we do support in this province, and that indeed we should be allowing those people who are going to a midwife to access the program. It seems unfair. I've had many constituents write me about that.

Another issue that I think the member from Parry Sound-Muskoka was talking about to some degree too is the issue of your specialist if you've got a condition. I've got many examples. One constituent had a condition that required her to see a neurologist. For many, many years, she was going to Ottawa to receive this treatment. There then became a neurologist available in Thunder Bay. This constituent's point was, "I've been going for some time to this doctor who knows my case and my file." I think there needs to be some flexibility in that regard.

What happens, as a result of the fact that there is now a neurologist—and the member from Sault Ste Marie made this point very well; it's an extraordinarily long wait to access that particular neurologist—is they are being told they can't access the northern health travel grant.

The other one is—quickly; I'm running out of time—we have a eating disorder clinic in Thunder Bay that's looked after by the St Joseph's Care Group. The chair of the St Joseph's Care Group, Mr Dick O'Donnell, wrote me about the fact that for people who need to access help under the eating disorders clinic, there are in-patient treatment centres in Toronto and Ottawa. The only way you can access that is to get assessed in your regional centre, which in this case is Thunder Bay. Again, because there aren't medical specialists involved, people who have to travel thousands of kilometres, or hundreds of kilometres certainly, to access the services in Thunder Bay are not eligible for the northern health travel grant. I think they should be.

I could go on and on. I appreciate the opportunity that the member from Sault Ste Marie has given us to debate this today. I hope this will all be part of the review. I'm in great support of this resolution.

**The Deputy Speaker:** Further debate?

**Mr Garfield Dunlop (Simcoe North):** It's a pleasure to rise this morning to support this resolution. I'd like to welcome, first of all, these young people who have joined us this morning. It's great to see your class here. I'm not sure what school you're from, but it's great to see you

here. We should give them a round of applause for watching.

As I said, we'll be supporting this resolution, which says that in the opinion of this House, the Legislative Assembly of Ontario should examine the northern health travel grant with a focus on reviewing the criteria and improving the services associated with receiving support from the grant, as well as enhancing the administration of the grant by simplifying its processing formula.

I have to say, it's always nice if you think you can work with one of the government ministries and streamline the application procedure or the administration of programs. Good luck. OK? That's the first thing. You're a couple of people here, and you will quickly find out, because certainly it makes so much sense.

We, of course, as Mr Miller and Mr Gravelle have both said, doubled the grant, as far as traveling over 100 kilometres both ways, and we're very proud of that. I thank the former minister, Tony Clement, for his stand on that and for trying to listen to the people of the north.

I think one of the biggest problems we have in this House is that there are only 11 northern ridings, and they take in about 90% of the province. We tend to think there's not a lot happening north of Highway 7 or Highway 9, and it gets kind of silent and quiet up there, but the fact of the matter is, northern Ontario is one of the most beautiful parts of the world. If people here have never had the opportunity to fly over the north or travel in the north, they're really missing something.

We're fortunate. We have Norm Miller here in our caucus, who is attending all types of functions in the north and trying to get a grip on his position as critic. Of course, he's doing a great job there.

It's also funny today that both these resolutions come up at the same time, one on the northern health travel grant and the other on foreign-trained professionals, because of course the issue, not only with the grant, is that we also need professionals of any type, whether they're foreign-trained or our own students, in the north.

I have a couple of suggestions to the government. First of all, obviously anywhere we can streamline the administration of the grant is necessary, and we applaud the efforts in trying to do that; but second, with medical students. We are opening the Northern Ontario Medical School—again, it was our government's commitment to do so—with campuses in Sudbury and Thunder Bay.

**1030**

There is one key area we have to zero in on—and I hope the people from the ministry are listening carefully to this—and that's residency positions right across our province. It's going to be a big issue. The other night I happened to speak to a number of students from the University of Ottawa who were at the OMA reception. They specifically brought the medical students out. It's a very important issue. I've had some of the young medical students in my riding come to me as well. There just may not be enough positions, and that includes family physicians as well as specialty areas. The citizens of Ontario help to train and put these medical students through

university, and it's simply unacceptable to think we might lose them because they can't find a residency position. We really have to zero in on the administration of that part of the program and make sure that all of those who take their training in Canada, as well as the foreign-trained professionals, get an opportunity to have a residency position when they want to before they receive their final diploma.

Second, when we talk about administration—and this is something that has bothered me for some time. The 20,000 new long-term-care beds that we announced in the province are being built and most of them are open now. I have never agreed with the formula for how they were allocated. In my riding, we need about another 100 long-term-care beds. I've actually sent Ms Smith a letter on this.

Other areas of the province were allocated beds and they're not full. There's something wrong with that scenario. We absolutely have to find a way to reallocate some of the beds that have not yet been built to areas that need these beds. I need 100 beds in my area. It's not northern Ontario, but it's getting up there. There must be other communities in the same position, where the formula has not worked. Again, it's an administrative issue with the Ministry of Health.

I've gone on long enough. I'm going to leave some time for my colleague Mr Tascona. We will be supporting Mr Orazietti's resolution here this morning. We have to do anything that can streamline the process for helping our citizens, whether they're in northern Ontario, southern Ontario or anywhere in the province. We have to make it work as well as it possibly can. I thank you for the time, and I'll be turning it over to Mr Tascona for his turn.

**Mr Bill Mauro (Thunder Bay-Atikokan):** I'm pleased to stand today to add my comments to the resolution regarding the review of the northern health travel grant, dealing especially with eligibility criteria, improved services and improved administration of the program. I'd like to thank the member from Sault Ste Marie for bringing it forward.

As many of you will know, this is a very serious health care issue in northwestern Ontario, in fact in all of northern Ontario, which at some point has been a very contentious issue for many of us who represent ridings in that area. I'm very pleased to have the opportunity to speak to it.

By way of example, I'd like to relay a situation that I dealt with very recently. This past weekend, I had the opportunity to spend about half an hour, of the two days I spent in Atikokan, dealing with a constituent from that town who recently had a very serious issue regarding the northern health travel grant. Atikokan is a small community that's part of the riding I represent. It is about two hours west of Thunder Bay. This lady ended up with a very serious issue when her husband became gravely ill and the hospital in Atikokan was unable to provide the level of service required for her husband. The doctor referred her husband to the Thunder Bay Regional Health

Sciences Centre and, as is apt to be the case from time to time, Thunder Bay Regional was unable to accommodate her needs. The next-closest hospital was in Winnipeg in Manitoba and they were also unable to accommodate her needs.

As a result of that process, this lady and her husband ended up spending 42 days in Duluth, Minnesota. For those of you who do not know, Duluth is an American city. For 42 days, her husband was there. The result of that process was a \$162,000 bill to the taxpayers of the province of Ontario. That part of it of course was covered. However, for this lady who spent 42 days in Duluth with her husband, who was gravely ill and on life support for much of that time and who thankfully has survived, her bill came in at around \$3,200 for hotel, not including meals and other essentials necessary to accommodate her stay while she was down there.

That speaks for many reasons we need to address this northern health travel grant, but I think the bigger point that needs to be made as we deal with the northern health travel grant is that we need to be pursuing a health care system in the longer term that has as its goal the ability to provide as many health-care-related services in as many locations as possible. We need to pursue a system of health care provision in this province that hopefully, somewhere down the line, will see the need for less northern health travel grants, not more. We're not at that point yet, but we need to get there as soon as we can.

For the constituent I referred to, it was \$162,000—one patient, one bill. I'm told there are anywhere from 9,000 to 12,000 applications on a monthly basis to the northern health travel grant program. The numbers must be staggering. In a business case side of it, I think we can support the long-term goal of trying to provide more health care services in more locations across this province. That should be where we go.

Additionally, I could make the argument—and I think many of us could make the same argument—that when we are referring patients to places like Manitoba, places like Duluth, Minnesota, we as a province are actually subsidizing their health care systems. That work could be performed in this province. We need to find the resources to make it happen. It's a great example of breaking down silos. Instead of sending \$162,000 to Duluth, we need to try and keep that work; let it be performed in our province. Get patients the care they need closer to home, because that's what this is all about. There's a great business case for trying to make that happen.

That being said, we cannot forget—my time is winding down. I would love to give a minute to a member from southern Ontario, Speaker, if you don't mind. I will share my time with the member from Brantford.

That being said, we cannot forget that the most compelling reason for this is the provision of services. We need to get to a point where we can try and ensure that people, as often as they can, are able to acquire health care services as close as they can to their home communities. The last thing people need to be dealing with at a time like this are concerns around financial implications. The approval of these grants, even when

they're approved, sometimes takes five weeks at the best and as long as three months. That has a very strong impact on people on low incomes.

We have lots we can do. I'm proud to stand and support the member in terms of this review of the northern health travel grant. And I'm happy to give one of my minutes to the member from Brantford.

**Mr Gilles Bisson (Timmins-James Bay):** I want to rise today and say that New Democrats will support this motion. We've long felt, as I think most people do, that the northern health travel grant needs to be modernized and changed to reflect some of the realities we find in northeastern and northwestern Ontario. Let me give you but a few.

For example, when we first drew up the northern travel grant system back in the late 1980s, it was based on the health care model at that time: the types of hospitals we had, the specialists we had in northern Ontario, the kinds of treatment people were able to get, either at home or away. Over the last 15 years or so, a lot of changes have happened in northern Ontario. Some have been good when it comes to providing better health care services in the north. For example, if we look at today compared to 15 or 20 years ago, there are far more services offered in northeastern and northwestern Ontario than there were. We need to reflect some of those changes in the northern travel grant.

But also, on the flip side of this argument, we have become much better at diagnosing diseases and prescribing treatment for those diseases. Unfortunately, some of those issues are not dealt with in the current structure of the northern travel grant, and I want to talk about a couple.

**1040**

Le premier dont j'aimerais parler, c'est toute la question du système de dialyse. Par exemple, dans la communauté de Hearst on a présentement, je pense, six ou sept personnes qui ont besoin du service de dialyse. On sait que dans le nord de l'Ontario, comme dans d'autres endroits dans cette belle province, quand on a besoin de prendre la route en hiver pour aller prendre nos services de dialyse, cela peut être dangereux. Justement, on prend la vie entre les mains, comme on dit en bon français, quand on prend la route pour aller à la prochaine communauté pour avoir ce service de dialyse.

Ce qu'on a vu à Hearst, par exemple, c'est qu'eux autres ont été poignés avec une affaire particulière un peu frustrante. Je reprends « un peu »; c'est très frustrant pour la communauté. Le règlement du « northern travel grant » dit qu'on a besoin d'être à 100 kilomètres ou plus de l'endroit de son traitement. Si on regarde la distance entre l'Hôpital Notre-Dame et l'Hôpital Sensenbrenner à Kapuskasing, le kilométrage est de 98,5. Pour cette raison-là, on n'est pas capable de dire que les personnes qui ont besoin des services de dialyse peuvent avoir le travel grant.

Donc mon approche, mon choix numéro un est qu'on doit trouver une manière pour mettre un système de

dialyse dans l'Hôpital Notre-Dame à Hearst pour que le monde n'ait pas besoin de voyager. Je pense que c'est la première approche.

Mais en attendant qu'on passe à travers ce processus—et je vous signale que le gouvernement précédent et le ministre, M. Clement, ont fait des approches à travers le gouvernement et à travers la régie de santé pour faire les études nécessaires pour démontrer si on avait besoin d'un service de dialyse à Hearst. Justement, on a conclu qu'on avait besoin de ce service à Hearst et que cela devrait être financé par la province.

La prochaine étape sera le ministère avec la régie de santé, une autre étape avant d'être capable d'approuver un centre de dialyse à l'Hôpital Notre-Dame à Hearst. Même si on dit oui aujourd'hui, quand le financement sera mis en place, on parle d'un changement d'environ une couple d'années. Pour cette raison j'avais demandé au premier ministre précédent, M. Harris, et à M. Eves, et là j'ai demandé à M. McGuinty en tant que premier ministre, qu'on fasse un changement au travel grant : si quelqu'un a besoin de prendre la route pour un service nécessaire pour soutenir sa vie, on peut donner le travel grant directement à la personne.

C'est un peu différent si je demeure à Timmins et j'ai besoin d'aller à Smooth Rock Falls. C'est à plus de 100 kilomètres. Supposons que je demeure à Mattice et que j'ai besoin d'aller à Kapuskasing pour un appointment avec un spécialiste. C'est un peu différent si ma vie n'est pas affectée par les traitements. Je peux y aller, je peux m'organiser, et si je manque mon appointment parce qu'il neige ou les routes sont méchantes, je peux toujours m'organiser pour y aller un autre jour. Mais quand on a besoin du service de dialyse, on a besoin de ce service, simplement dit. On ne peut pas être mis dans une position de dire, « Écoute, je vais attendre deux jours parce qu'il ne fait pas beau dehors. Je vais vous téléphoner pour vous dire quand je vais arriver. » Ça ne marche pas. Ils ont besoin du service tout de suite.

C'est pour ça que nous autres, on a dit que, comme approche temporaire, on fera un changement au programme travel grant pour l'allouer dans les situations qui sont autour de 100 kilomètres si c'est un service qui est nécessaire pour soutenir la vie. Je pense que c'est quelque chose qui est approprié, et ça ne coûtera pas beaucoup d'argent au gouvernement.

The other thing is the whole issue of managing pain. You will know that in northern Ontario, as there are across this province, there are a number of citizens who deal with very serious chronic pain. In some cases, those people have not been able to get pain management clinics inside their home communities.

For example, I've had a number of constituents in my riding who have been dealing for a number of years with a specialist in Toronto, let's say, who understands their case, has been dealing with their pain issues, understands the patient and has had an approach to treatment that has been successful for the patient. In those particular cases, because we know that when it comes to managing pain it's not only the physical but also the psychological

aspect that you have to approach, it may not necessarily be the right thing to transfer a patient to somebody else, who may or may not be closer when it comes to providing treatment.

I think of Mr Carrière and others I've dealt with over the years, where we're constantly having to make appeals to the northern travel grant system, saying, "This particular man has to see a specialist in Toronto. Here are the reasons why." This is supported by his family doctor and it's obviously supported by the specialist. At the end of the day we end up winning, but we have to go through an appeal each and every time the patient has to travel for an update visit to determine if there needs to be a change or modification to his treatment. The northern travel grant says, "Oh, but somebody in North Bay could probably do this." The specialist in North Bay says, "No, I don't want to deal with this case. It's a case that's above and beyond my scope of practice." So you've got the specialist in North Bay who's saying, "I don't want to deal with the patient because it's outside of my scope of practice." You've got the specialist in Toronto saying, "I'm prepared to deal with him. Not only am I prepared to deal with him, I understand the case. I've been managing this man's condition for a number of years," and a family doctor who is supporting, "Let's send the person off to the specialist in Toronto," but the northern travel grant says, "Oh no. Too bad. You've got somebody in North Bay, so therefore we'll only pay as far as North Bay."

Those kinds of things have to be fixed. They're not a huge-ticket item for the province of Ontario, in my view, when it comes to managing the cost of health care. With those particular cases, it's not as if we'd be opening the floodgates of allowing all kinds of expenditures. But those are a couple of examples, as I explained, with dialysis in Hearst and pain management for patients around the province, where we could have some flexibility that would make some sense and certainly make the lives of patients in this province a lot easier.

I want to commend the member for bringing forward this particular resolution. It's a step in the right direction. It has yet to be seen if the government is prepared to make those changes. I want to put my best foot forward and say that if we pass this motion today, which I think we will, I have a number of suggestions I'd like to make to the government about how we manage the issue of the northern health travel grant in a way that reflects the reality we find in many of our communities.

The other thing I want to say is that it's not just a northern issue. Unfortunately, in our province we have a lot of patients in southwest, southeast and southern Ontario who are in exactly the same position as we are in northern Ontario. They may be living in a community that doesn't have a particular specialty or, in some cases, doesn't have a family doctor and are in the position of having to travel, not just tens of miles, but hundreds of kilometres to get services. We need to look at how we approach services for those people in southern Ontario who need to travel as well. Certainly we don't want to go

back to what the Tories did, where they had the Cadillac service for people in the south who were able to fly up for cancer treatment in Sudbury and Thunder Bay and have their hotels and everything paid at 100%, but cancer patients in northern Ontario going to the same facilities basically got a lesser model. I don't advocate that.

I say we need some system that's fair for all patients in this province who need to travel for services. Maybe we need to look at going beyond just a northern travel grant to looking at what we can do to help patients across this province access services when needed.

**Mr Joseph N. Tascona (Barrie-Simcoe-Brampton):** I am pleased to join the debate with respect to the private member's resolution of the member for Sault Ste Marie. There are problems with the northern travel grant application, which the member from Parry Sound-Muskoka pointed out very clearly, and I'll deal with those fairly shortly.

But I want to point out that in the Liberals' election campaign, in their northern Ontario platform, True North, they talked about northern health care. With respect to the travel grant, they promised, "We will cut the waiting time for northern health travel grant payments in half," and "We will make the travel grant more responsive to the health care needs of northerners." The Liberal action to date has been nothing. They have not even announced a study on when they are going to do something—nothing. It's a backbench member from the Liberal government who has brought this forward, and I certainly support that. But it takes a backbencher to bring this to the forefront of the Legislature when the government should be taking action. The government should be doing something about this, because obviously, as we've heard from the members, there is a problem. So what we have here is a Liberal campaign commitment, with nothing done to date, and we have a backbencher saying, "I want to protect my constituents," and it's the backbencher who's doing that.

The Conservative record on this, as was pointed out by the member from Simcoe North—I was involved in Ombudsman hearings with respect to the northern travel grant when I was on the Legislative Assembly committee. The travel grant was drastically increased, enhanced, in 2001. There have been a number of health care initiatives in northern Ontario—the northern medical school, to name just one, which is significant with respect to enhancing and providing more accessible health care in northern Ontario.

The problems with the program are pronounced. From what I understand from the member for Parry Sound-Muskoka, there have been disputes over provider referral patterns, and the closest availability of service results in a grant denial. There have been problems with the availability of application forms. Instructions on the application form are erroneous and confusing. Separate application forms are required for each trip. Section 3 is to be signed in advance of travel, otherwise you are disqualified for a legitimate claim. A single form needs to be signed by five separate parties. There's a lack of

assistance for patients with respect to dealing with this. The signing authority is too restrictive. There's also confusion about the 100-kilometre and 200-kilometre stipulation, and the grant is not payable for the first 100 kilometres traveled. Those are a number of comments that have been made by the member for Parry Sound-Muskoka with respect to this matter.

**1050**

I would also point out that he was referring to a constituent in terms of staying in Barrie. A lot of the problems for areas from Parry Sound-Muskoka, perhaps even up to Sudbury and the surrounding area, would be resolved if the cancer care centre approved by the Ministry of Health would be expedited and put in Barrie at Royal Victoria Hospital, and getting that moving along. It's moving along, and I'll credit Minister Smitherman for taking an interest in this, but the bottom line is that it needs to be approved and set forth to the next stages of the project to provide radiation therapy for people who are in need.

As a member of the Barrie Rotary Club, I'm very proud to say that one of the projects we've undertaken for this particular cancer care centre is to build a stand-alone facility where the patients and their families can stay while they have treatment at this cancer care centre. That's something that is a private initiative of the community and I think it will help address individuals who maybe can't afford to stay at a motel or whatever. We're taking action within our community to make sure that their families can stay with them when they are being treated at RVH, and that's to be commended.

In closing, certainly I will be supporting this resolution. It's an issue that has previously been dealt with monetarily, but there are obviously administrative problems that have to be dealt with. The Liberals made a campaign commitment, and I recognize the member for Sault Ste Marie for having the disposition to bring it forward to the House to make the government act.

**Mr Dave Levac (Brant):** I wish I had 15 minutes to talk on this, now that the member who just spoke has had an opportunity to unfortunately put partisan politics in front of this and not recognize this for what it is, and that is to take care of the north and the people who need those services.

I'm from the south—south-central, southwestern, however you want to say it. I have relatives in the north; I came from the north in terms of my family lineage. I'm very proud of the north. I want to stand and say to the member for Sault Ste Marie, you keep working. This is private members' business; this is private members' hour. I can only tell you how much I personally support it. I know that all the members in this place have said that they support you 100%. It's the right thing to do.

I want to say to the member for Timmins-James Bay, who rightfully said this is a universal problem that we have in our province, I hope we do get a chance to take a look at it. In my own riding there are transportation issues for dialysis treatment that need to be dealt with.

Having said that, let's not play partisan here in this House during this time. It's the right thing to do, and I

think we all need to support this to make sure that our members take care of their constituents. I thank the member, and the northern members, for bringing this forward.

**Mr Michael A. Brown (Algoma-Manitoulin):** I'm delighted and excited to be here speaking to this resolution this morning brought by my colleague from Sault Ste Marie, the chair of the northern caucus and a good friend of all northern people.

This is about access and making sure that all people in Ontario have access to the health services they require. I represent one of the large northern ridings. It's a constituency of about 86,000 square kilometres. Most European countries would fit into it; all of southern Ontario easily fits into it. It reaches from Killarney and Manitoulin through to Manitouwadge, bordering on Thunder Bay-Superior North, Mr Gravelle's constituency, at Marathon.

Some of the issues my colleagues have brought forward are very clear in my constituency. Manitouwadge would be 400 kilometres, more or less, from either Sault Ste Marie or Thunder Bay. It is an incredible journey just to get to one of those places by car. There is no longer commercial air transport from those places, so they have no choice, really, but to take an automobile, or in some cases a bus if you can get to one, just to get to one of the major centres of northern health care, which would be Thunder Bay or Sault Ste Marie in their case. Horne-payne would be in the same situation.

It is very difficult for these folks to access care, particularly if they have to go on a regular basis. Maybe people can do it once or twice a year, but when you're having to do this on a routine basis, which many of my constituents have to, even the shorter distances of 90 kilometres or less one way cause great difficulty if you're going for dialysis or chemotherapy or you're doing any of those things that require going to a major centre on a regular basis.

In doing this review, we should think about the context we're in. Many members have mentioned it would be nice to do away with the northern health travel grant, because we could provide the services in the community. We know that's not perfectly true, but we have made some advancements. The Northern Ontario Remote Telecommunication Health Network, for example, provides many of the smaller hospitals and even health clinics across northern Ontario with access to specialists. I believe there are now 80 sites across the north that provide this communication with specialists, with tests. It's quite amazing. I've visited quite a number of them. It's a fabulous service, meaning the patient doesn't have to leave. They deal with the specialist by teleconference, and there are over 50 specialists involved in that. That is a huge help to our constituents and to our hospitals.

The medical school, when internships and residencies occur in northern Ontario, will be a help. We have a strong northern rural residency program, which needs to be strengthened and enhanced, and which brings young

doctors into the smaller communities of northern Ontario. We have a number of things going.

Just recently, the Manitoulin Health Centre, at their site in Mindemoya, opened a chemotherapy clinic, funded internally, by the way, from the hospital's own funds, which now provides an opportunity for many chemotherapy patients in the district of Manitoulin not to have to travel. So we are making steps, and we have to see the travel grant within the context of making sure we have the services as close to home as possible, as all Ontarians would want.

I share the view of my friend from Timmins-James Bay that this is not totally a northern issue. There are places in Bruce county, there are places in Huron county, there are places in eastern Ontario and in the southwest. Many people in Windsor have to travel to other sites for specialist care.

We also have the problem of the family practitioner, and this has been raised too. We have a shortage of family doctors. In many of my communities, if you lose one family practitioner, you've lost all your family practitioners. These days in Elliot Lake and Espanola, we're having some difficulty having enough family practitioners. That means you can't get a referral to a specialist. It's very difficult to get the referral. If you can't get the referral, you can't go to the specialist. If you can't get the form, you can't get the service. That is a major difficulty we're having these days.

I urge members to support Mr Orazietti's thoughtful, reasonable, non-partisan intervention here this morning. I know the House wants this to happen and that we can have full access for the people of northern Ontario to be treated like all other Ontarians.

1100

**The Deputy Speaker:** Mr Orazietti has two minutes to reply.

**Mr Orazietti:** I appreciate the overwhelming support this morning from Mr Gravelle of Thunder Bay-Superior North, Mr Mauro of Thunder Bay-Atikokan, Mr Brown of Algoma Manitoulin, Mr Levac of Brant, Mr Miller of Perry Sound-Muskoka, Mr Dunlop of Simcoe North, Mr Bisson of Timmins-James Bay and Mr Tascona of Barrie-Simcoe-Brampton. I appreciate very much the support shown here today for this resolution. It is something that is extremely important to northern Ontario residents. It's an issue, as Mr Brown has quite aptly said, about affordable access for northern Ontario residents.

Just to pick up on the point of the member from Timmins-James Bay, this issue is about serving all Ontarians better. If there are anomalies or situations in other parts of the province that we need to take a look at, we should be doing that. I would be happy to reciprocate support for members in other parts of the province who have medical situations where residents have to travel to get vital specialty health care. I think it's extremely important.

I want to thank members this morning for highlighting some of the specific cases they have experienced in their constituency offices and some of the problems that have

come to light with respect to processing these forms and with respect to applications being declined for a whole host of reasons. We need to take a look at these situations.

These are people. We are talking about improving the lives and health of people in this province, and we need to take that extremely seriously. It's not simply about a bureaucratic paper-pushing exercise. It's about making sure people have the health care they need. We need to ensure that this review takes that seriously and moves in a direction that gives people better, affordable access to health care in this province.

Again I want to thank members for their support and look forward to this resolution moving forward.

### IMMIGRANTS' SKILLS

**Mr Shafiq Qaadri (Etobicoke North):** I move that, in the opinion of this House, foreign-trained professionals and tradespeople possess a significant potential contribution to the economic and cultural benefit of Ontario and that the government work in partnership with Ontario's occupational regulatory bodies to remove barriers that prevent internationally trained individuals from contributing fully to the labour market.

**The Deputy Speaker (Mr Bruce Crozier):** Mr Qaadri has moved private member's notice of motion number 14. Pursuant to standing order number 96, Mr Qaadri, you have 10 minutes to lead off.

**Mr Qaadri:** Thank you, Mr Speaker, and through you to the people of Ontario, before I begin my substantive remarks, I would like to thank and welcome my honourable colleagues in the government caucus who have shown overwhelming support and eagerness to speak to this resolution. I would like to thank, in advance, the members from Davenport, London-Fanshawe, Brampton West-Mississauga, Markham and Ottawa-Orléans. They are Messrs Ruprecht, Ramal, Dhillon, Wong and McNeely.

I'm discussing today what I consider, and I believe this House should consider, the greatest riches and the greatest asset our province and, frankly, our country has. It's not our highways, our lands, our waters, our capacity for power generation, great though those are. It's not our manufacturing capacity, our schools, our colleges, our universities, not even our hospitals or our health care delivery systems, great though those are. I'm referring to the very people of Ontario, our greatest asset, our greatest riches, our human resources.

I speak, as well, as a multicultural Canadian, as an individual who has seen from a personal capacity friends, family, my own social circle, individuals come with the best of intentions with qualifications from abroad but meet the barriers, the hurdles and, I would say, the unnecessary challenges and delays to fully integrate into this society. I speak to you in an urgent and personal capacity.

I'd like to start with a quotation from the father of western medicine, Hippocrates, who wrote in Greece in

the fourth century BC: Life is short, the art long, experience deceptive, judgment difficult and opportunity fugitive. While this of course refers specifically to physicians and health care practitioners, I think it refers more broadly to the many skilled tradespeople and professionals who come to Canada and to Ontario. With this quotation, I highlight the fact.

Many of these individuals have undergone difficulty and strains in their own countries to accredit themselves, to rise in their own society, to avail themselves of all the educational opportunities, which are not often easily acquired in other countries, be it the expense or problems with admission, or simply the class stratification that goes on in many other parts of the world.

For example, we have individuals from 92 countries in the province right now who have applied to the licensing regulatory body of doctors, the College of Physicians and Surgeons, to eventually practise medicine. But it's not only physicians; I have here a list provided to me by the Ministry of Citizenship and Immigration in the federal government of the skilled immigrants coming from all over the world who could actually address the existing and pending skills shortages. I'd like to share with this House, and with you, Speaker, and with the people of Ontario, these lists.

First of all, the professional list, in the order of precedence: engineers; engineering technicians and technologists; accountants; teachers; medical laboratory technologists; pharmacists; nurses and practical nurses; architects; geoscientists; and physicians and surgeons. Of course, as you will appreciate, this is merely the top-10 list. We can always use even more lawyers, if necessary, but this is just the top 10.

The immigrant tradespeople who land in this country, and particularly in this province, are: cooks and bakers; industrial millwrights; technicians and auto body repairers; individuals in the automotive service; hairstylists and barbers—of which the third party might avail themselves from time to time; tool and die makers; machinists; electricians; plumbers and steamfitters; refrigeration and air conditioner mechanics; and early childhood educators.

But this is not merely a list for an intellectual exercise. This is not a list simply provided to us on PowerPoint or some e-mail attachment meant to disappear into the mass of papers that we have. These are real individuals with real families, who are often coming to visit other members of their family and stay with them, and are willing to expand the Canadian mosaic. For example, of the approximately 225,000 people who immigrate to this country Canada-wide, something in the order of about 60% of them, or probably about 120,000 or 125,000 of those individuals, actually come and settle in Ontario.

We often say, almost to the level of truism or platitude or cliché, that diversity is our strength. But this is very much true. There was a television commercial and print ad that used to run about 20 years ago on behalf of the United Negro College Fund in the United States, and their byline or their catch phrase was, "A mind is a terrible thing to waste." This is very true. I have, for

example, personal knowledge of individuals like Dr Hector Fernandes, who came originally from the Philippines and was a full professor of endocrinology—the study of hormones and the science of hormones—in his own native land, and yet is unable to cross the barriers, the hurdles, the challenges, to actually practise medicine. He spent so much time waiting and preparing for exams and improving his own knowledge base that he actually has achieved a master of science from the University of Toronto in this field and is on his way to doing a PhD, to the point where he will have a double doctorate. And yet he is denied the opportunity to practise medicine.

1110

The other thing to say is that this is not mere paternalism. This is not an effort of bleeding-heart liberalism. This is not simply trying to cater to a particular bloc, voting group or base. This is a felt and clear and present need in Ontario. For example, along with all the skill sets and other professions I've mentioned, including engineering, architecture, geoscience and so on, there is, as of this moment, something on the order of one million Ontarians who do not have access—free and easy access—be they northern or southern Ontarians, to family doctors. And yet, at the same time, we have something on the order of about 1,500, and probably even 2,000, foreign-trained international medical graduates, foreign-trained physicians, in this province, looking for the opportunity to serve Ontario.

The strange thing is that these individuals, when they're applying for immigration in their own lands, are often granted points or credit or value because they have these various professional degrees. Yet when they reach Ontario, they seem to be in this Catch-22 situation, in that they have neither the Canadian experience nor retraining and recertification and, of course, without that, they can't practise, but without getting that opportunity to practise, they can't achieve that as well. So it's kind of a vicious cycle.

That's why I feel very strongly, as the MPP for Etobicoke North, as a physician, as a multicultural Canadian and as a representative voice for the broader community in Ontario, that the time has come when we in this government, in this House, in this Legislature, must streamline, expedite and make more efficient the licensing, the verification of credentials, the testing for competency and the language proficiency for all the various professions, be they engineers, accountants, even lawyers, teachers, nurses, architects or physicians and surgeons. Because it is a felt need and also, beyond that, beyond the service of Ontario and our community, it is, I would say, in this day and age, an extreme tragedy that individuals with the best of intentions, with their own heritages, come to this country but are unable to reach and exploit the equality of opportunity, which is essentially the byword of a liberal philosophy, the democratic process in Canada.

**The Deputy Speaker:** Further debate? The member from Haliburton-Victoria-Brock.

**Ms Laurie Scott (Haliburton-Victoria-Brock):**  
Thank you, Mr Speaker; well done.

I'm pleased to rise today in support of the resolution presented by the member from Etobicoke North. Indeed, I don't think you'll find many people in this Legislature who would be opposed to this resolution. It does contain many fine words, but it doesn't do much except to provide the current government an opportunity to look like it's acting on one of its campaign promises. In fact, it would not surprise me if this resolution is trumpeted as an example of the government moving forward on one of its promises.

Let's take a closer look at what the promises were. Today's resolution and, indeed, the January 20 announcement by the Minister of Training, Colleges and Universities fall far short of the promises made by the party opposite. In their campaign pamphlets, the Liberals promised:

"We will remove barriers preventing well-qualified foreign-trained physicians from practising in Ontario."

"We will lower barriers that prevent foreign-trained professionals and skilled workers from reaching their potential. We will work with professional and trade associations to accelerate the entry of skilled new Ontarians into the workforce. Our goal is to eliminate major barriers within one year."

"We will ensure timely access to trades and professions for qualified professionals trained outside Canada. Newcomers face too many barriers that prevent them from practising their trade or profession. We will require that all Ontario trades and professions accelerate the entry of qualified new Canadians. If after one year any profession or trade has not eliminated barriers to entry, we will act."

Well, the clock is certainly ticking on the one year mentioned in the Liberal campaign documents, and yet nothing is mentioned today about requiring all Ontario trades and professions to accelerate the entry of qualified new Canadians. Instead, the resolution we're debating today calls for the government to work in partnership with Ontario's occupational regulatory bodies.

In the throne speech debate, the Premier stood behind at least part of his commitment. He told the Legislature, "We will break down every single barrier which stands in the way of getting foreign-trained professionals and tradespeople into the Ontario workforce." Granted, they no longer attach the one-year timeline—again the one-year timeline—to this goal, but it was a statement of definitive action.

Today's resolution, as I support it, does not address the promises made by this government and it does hide the fact that this government has been slow to act on this important matter that affects all communities across Ontario. To quote the Premier when he spoke as a member of the opposition on the issue of expanding access for foreign-trained professionals, "What we really need in Ontario, what would truly and deeply make a difference, would be a Premier who is willing to make this a priority issue." Well, this is a priority issue, and it should be a priority issue for the Premier and his government.

About 60% of total immigrants to Canada come to Ontario. We expect about 235,000 to arrive this year. Statistics Canada reports that 70% of the newcomers who looked for work reported at least one problem in the process. The most commonly cited problem was a lack of Canadian job experience—26%—followed by the transferability of foreign qualifications or experience.

It was certainly a priority for the previous government. Bridging programs were introduced that improved access for internationally trained engineers and other professionals and skilled tradespeople. They earmarked millions of dollars—

*Interjections.*

**Ms Scott:** Now everybody's awake.

They earmarked millions of dollars to provide bridge training opportunities. They more than doubled the number of foreign-trained physician spots and introduced Ontario's access to professions and trades initiative.

When and if this government moves forward with concrete changes and investments to increase access, it would do well to remember that they need to do more than just announce more spaces in medical schools or engineering schools or more apprenticeship training. They need to make sure that the infrastructure is in place in the colleges and universities so they can offer these courses. Professors need to be hired, classrooms need to be available, and hospitals need to have the staff available to supervise more interns. More residency positions need to be available. Right now, you hear from all different doctors and doctors in training that they have to go to the United States to complete their residencies, and then they write the American exams and are more prone to stay in the United States as opposed to coming back to Canada. We cannot let this continue.

When the previous government did take action to increase access, Minister Pupatello berated them. In the quotes from Hansard on November 26, "You are just stringing these people along, making them believe that you're actually helping them." I'm afraid that all this government is doing here today is just that.

I want to tell you a good story. In my community of Kinmount, we're going to be lucky enough to have a foreign-trained doctor come to our community this summer. I want to commend the doctor recruitment committee in Kinmount, headed by Ted Wilkes, because for years they've been trying to recruit new doctors to the area.

The shortages faced by my community are mirrored across this province. A decade ago, there were approximately 43 practising family physicians working in the city of Kawartha Lakes. Today, there are 34. Of those 34 who remain, approximately 7 will likely retire within the next five to 10 years. In addition, a decade ago, 36 of those family physicians cared for their patients when they were admitted to hospital. Only 17 currently provide this service. This has occurred while the population has continued to grow and age. The result has been an explosion of unattached patients—orphaned patients who live without any regular care and seek episodic care

from the hospital emergency department or after-hours clinics.

The need to integrate foreign-trained professionals in our communities is clear—not just for physicians but for a host of other professions and trades, as mentioned by the member for Etobicoke North.

I'm pleased to support this resolution. I sincerely hope this is just the first step taken by this government, not the last.

**1120**

**Mr Tony Ruprecht (Davenport):** I'm delighted to join this debate. I applaud the member for Etobicoke North for reminding us that we must move very speedily on this issue of opening the doors to foreign-trained professionals. It is simply not acceptable to have doctors, accountants, engineers and technicians drive taxis, clean restaurants, or deliver pizzas, and that is what's happening today.

As you know, I've introduced two private member's resolutions in the House, one in 1999 and one in 2002, with very specific recommendations at that time to the Conservative government. In fact, there are six specific recommendations. I'll just read two of them because they make sense and form the basis of the specific bill at that time.

"That individuals have the opportunity to seek licensure or certification of professions and trades for which they have been trained, in the context of provincial human resource planning, and without additional barriers not faced by Ontario-trained individuals."

The last one is simply "That all self-governing occupational licensing bodies provide internal appeal processes which are sensitive to such matters as timeliness and access to information, whereby decisions of licensing bodies can be objectively reviewed by staff other than those conducting initial assessment."

I remember that the PC minister at the time quickly left the chamber, snuck out so as not to be seen to be voting for this opposition resolution. But one thing happened which is very important to relate, and that is that the backbench PC members of the Legislature stood up and unanimously supported this resolution. In 1999 and in 2002, both times, this resolution was passed unanimously by the House. Has there been action taken? Yes. There have been some actions.

First, let me congratulate the Professional Engineers of Ontario, who have introduced a pilot program to help foreign-trained professionals. Let me congratulate the Certified General Accountants of Ontario, who have introduced special courses for the purpose of upgrading foreign-trained professionals. There are others, of course. I hope that as we put pressure on professional organizations in Ontario, they too are in the process of taking steps so that discrimination against foreign-trained professionals is not a fact.

What is our government doing about this right now? The McGuinty government is taking steps to address this issue. As was mentioned previously, on January 20 of this year, our government announced an investment of

more than \$4 million over three years to strengthen bridge training programs to assist internationally trained individuals to continue their careers in Ontario. Even more, as we speak, the Minister of Training, Colleges and Universities is developing what's called a report card that will require regulators to report on key indicators relating to the removal of barriers for internationally trained individuals. Those are important steps this government is taking to stop discrimination against foreign-trained professionals. Let's lower the barriers and open the doors so that those who have internationally trained professional degrees can access them and make a good living in Ontario.

**Mr Khalil Ramal (London-Fanshawe):** I'm honoured to rise today to speak in support of the resolution. This specific resolution is very important to me and dear to my heart. It was part of my commitment before the election, and now, as the government, it's time to work on it and try to implement it in a professional fashion to help the foreign-trained professionals who live across the province of Ontario.

I listened with great interest to the member for Sault Ste Marie when he was talking about the travel grant, how communities in northern Ontario suffer from a lack of physicians, doctors and professionals and how difficult it is to get service in that part of the country, which I have visited many times and love. The people who live in that area deserve all our support and efforts to eliminate that problem. I would imagine that if we were to eliminate the barriers for foreign-trained doctors and professionals, they might go to northern Ontario and help the northern communities deal with daily life and help the situation there.

I listened with great interest to my colleague from Etobicoke North when he was introducing the resolution to eliminate barriers for foreign-trained professionals. He detailed it in a very professional manner. He was eloquent in describing the problems as a result of the barriers, which prevent the professionally trained from entering the market in this province, which prevent using the professionals to strengthen our community and our economy.

I also want to tell the member from Haliburton-Victoria-Brock that our commitment to this issue is great. I had the honour to go to Fanshawe College around Christmastime to witness a graduation for about 17 or 19 people from about five different countries who got some training qualifying them to work in the London community. All this effort was made because of the government of Dalton McGuinty. Another commitment was about \$4 million invested in this field to train foreign-trained professionals. About \$4 million went to the areas of engineers, teachers, pharmacists and nurses. It's a very good step, as the member from Davenport mentioned, to start to eliminate the barriers.

Also, I'm working with Middlesex county, with London, to try to gather some money in order to help foreign-trained doctors to practise in the rural area around London-Middlesex. I think all this trial is the first

step. We're getting a lot of support from the ministry, from the government. I believe we're going in the right direction.

As we mentioned, this is the first step, and hopefully we can continue with more help for other people who have decided to be part of this nation to be able to use their talent as professionals to enhance our economy, so we move them from burdening our economy to benefiting our community, our government. At this time we need a lot of people, especially in the medical area. About one million people in this province don't have a family doctor to go to.

I think this is a great resolution. I'm in great support, and hopefully every member of this House will support the resolution because it's important to all of us.

**Mr Vic Dhillon (Brampton West-Mississauga):** It's my pleasure and an honour to speak in the House in support of the resolution brought forward by the member from Etobicoke North. This resolution allows foreign-trained professionals access to become employable in their professions.

I represent a riding where a vast number of new immigrants choose to make their home and a lot of these immigrants are highly trained professionals. They're qualified in professions that are in great demand in Ontario, and in Canada, for that matter. Unfortunately, a lot of these individuals are working in positions that have no relevance to their field of expertise.

Just last week I received a letter from a constituent, Mr August Apon, who lives in my riding. He expressed frustration in assisting a friend who is a new immigrant. She is a teacher. She was a teacher in one of the best schools in the country of origin. It was quite frustrating to read the difficulties she was having in getting accredited. In the letter it was explained that it was a very lengthy and costly procedure for her to be able to teach. I find that totally unacceptable.

There's a huge opportunity cost as well for these people who come here. They're working in positions that don't pay nearly as much as the positions they should be employed in. Moreover, there's a big cost to our province, as we're wasting this huge wealth of unexplored potential. So I ask all members of this House to support this resolution.

1130

**The Deputy Speaker:** Further debate? I remind the members that this is normally a rotation, so I'm looking for—thank you, Barrie-Simcoe-Bradford.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** Mr Speaker, I'm up right now. I'm not as fast as some of my younger colleagues. I'm doing the best I can.

I want to thank you, Mr Speaker, for allowing me to join the debate on the resolution from the member for Etobicoke North with respect to removing barriers. It's certainly an opportune time to deal with this. I'd like to point out once again that there was a Liberal election promise in their platform, "We will remove barriers preventing well-qualified foreign-trained physicians from practising in Ontario." That's under the section "The

Health Care We Need." It goes on to say, "We will lower barriers that prevent foreign-trained professionals and skilled workers from reaching their potential. We will work with professional and trade associations to accelerate the entry of skilled new Ontarians in the workforce. Our goal is to eliminate major barriers within one year."

Right now I think we're in about the eighth month of that particular year, and as to Liberal action to date, nothing has been done. We're eight months into that year and here we have a Liberal backbencher, to his credit, bringing forward this motion urging the government to do something.

I think it's important, because I've got a situation right now in my riding that I think is outrageous. This involves a school teacher, an exceptional teacher, who is appreciated and respected by her colleagues, the administration, parents, the community and students. There's a paperwork problem with respect to the Ontario College of Teachers. What has happened is that the Ontario College of Teachers is not allowing her to complete the academic year as a grade 1 teacher to the end of June 2004.

The individual in question emigrated from Hungary looking for a better life for herself and her family. She has taken the upgrading courses in an effort to obtain her certificate of qualification from the Ontario College of Teachers, and obtained further documentation from Hungary, which was the last step in the process. I think it's important, and I put forward a petition in recognition of this, to allow her to continue teaching for an additional three months to finish out the school year. That will not jeopardize the high standards to which our teachers are held, but will give her the extra time she needs to work with officials in Hungary in order to comply with the Ontario College of Teachers.

I put this forward to Debbie Booth, the vice-chair of the parent council, on behalf of all concerned parents at Pope John Paul II. I have committed and brought forward to the Clerk a petition to the Legislative Assembly of Ontario specifically to deal with this issue.

Ms Bator has been removed from her grade 1 teaching position at Pope John Paul II elementary school in Barrie, Ontario, by the Ontario College of Teachers due to insufficient time to get additional documentation from Hungary required to renew her teaching certificate in Ontario.

I'm urging the Minister of Education—I'll put it forward to the Legislature today in the spirit and principle of what's being put forward by this resolution—to reverse the decision of the Ontario College of Teachers, to allow her to complete her academic year as a grade 1 teacher to the end of June 2004. That's a live situation; it's a real situation right now. I want the member for Etobicoke North, if he really believes in what he's saying here, and I believe he does, to do something with respect to the Ministry of Education. I put it to the rest of the members of the government to look at a situation such as this; it shouldn't be allowed but it is.

I'd also like to comment on the fact that the backbencher has put forward this resolution trying to urge this government to live up to the promises it made through the campaign. As a doctor, he's a professional. The government has done nothing to keep its election promise to remove barriers to foreign-trained doctors.

I know when I was serving on a cabinet committee in our government, we were focusing on this and we put forth a program, which I believe was workable. I'm very surprised the government hasn't acted to bring that forth because physician supply is at a shortage. If you listen to the Ontario Medical Association, they believe there's about a 2,000-doctor shortage. We have to address this thing urgently. It not only needs to be dealt with regarding doctors but, as I said, it should be dealt with respecting the qualifications of other professionals and teachers, which I've indicated.

I wanted to be on the record with my support—and I've put it on the record—to make sure the teacher in question, Gabriella Bator, is allowed to teach the rest of the year. This is the classic situation to which this resolution applies, and the government should do something about it. I urge the Minister of Education to act.

**Mr Michael Prue (Beaches-East York):** It is again a privilege to rise on this particular issue. I've spoken to it before in this House, and I continue to speak to it.

It is trite to say that we are a nation of immigrants. That is said all the time and, in fact, it is true. Ever since Canada's first immigration law was passed in 1871, immigrants have come to this country literally from all over the world. People think a lot of immigrants come to this country today, but that is not really the case. The big heyday of immigration to Canada was in the 1800s and early 1900s in the time of Clifford Sifton. Immigrants were chosen in those days for far different reasons than they are chosen today. They were chosen in those days to populate the west, to start up farms, to grow wheat. Today they are chosen quite differently.

In fact, even in the last number of years, the immigration patterns to Canada have changed remarkably. I know this from having worked in that department for some 20 years before becoming a politician. When I first worked there, the majority of immigrants would come from the family class. They would be sponsored by their close relatives, and 60% to 70% of the people would come here literally because they had someone here who could provide for them, who could help them find a job, who would make sure they did not become a burden to the public.

Today, that is not the case. Today, 70% or more of all of the immigrants coming to this country are chosen from what is called the independent or entrepreneur class. These are people who have skills and abilities that are in demand, or supposedly in demand, in our country. They are chosen on the basis of a merit system, a point structure and a grid pattern; in nine of the 10 provinces, they are chosen federally and in one province, Quebec, they are chosen independently. I have some more to say about that in a minute. But they are chosen as

independents. They bring with them certain skills and abilities, which Canada says they need, and then quite often, unfortunately, they find those skills and abilities are not recognized once they come.

To work in immigration is to see an amazing movement of people. If you ever have the opportunity to go to a place like Pearson International Airport and watch the new immigrants come off planes, literally from the four corners of the earth, you will see them come with a passion in their eyes. They are coming here to a dream country, to fulfill something for which they have often worked their entire lives. You see them often coming with nothing more than that passion in their eyes, often with very little other resources. But they come here and almost immediately, sadly, run into the wall that we call, "You must have Canadian experience," and that is a wall which is sometimes impossible for them to break through.

I think of some of those who have come into my office recently who have run into that wall. I think of Dr Lang, who is a Canadian-born individual who went through public school in East York, who went to high school in East York, who went to the University of Toronto for his bachelor of science degree and for pre-med and then who made the horrible choice—at least he now thinks so—of finishing his doctorate and being called to the medical profession in Germany. He cannot come back. He does come back, of course, every three months to visit his wife and children, and he comes back to see his parents, including his own father, who is also Dr Lang, who was originally from Germany. He convinced his son it was a good idea to take those last years at a school in Germany. He comes back to all of that, but he cannot come back and practise. He cannot practise for what he has been trained and for what he literally worked his whole life in Canada. He's stuck now in Germany, with three-month visits to his family.

**1140**

I think about the five Albanian women who have been in my office many times, trying to get accreditation to be teachers. They have gone through the entire course to be accredited as teachers, only to find that in the last few months of their accreditation process, the rules were changed. Now, even though they spent two years trying to be accredited, the rules have changed and they can no longer qualify without taking additional courses. I have written to the minister about this, but we've not yet had a response. I hope to have a good one soon, because we need those women to teach in our schools.

I am standing today to support the motion, but I think, with all respect, that the motion could and should be stronger. If it's a first step, then it's a fine first step. But if this is the entire policy, we need, quite frankly, to do much more. It's not enough to work with occupational bodies. It's not enough to work with them to change things. We need to force that change, because some of those bodies have been more than reluctant to do what is necessary. We need to make the bodies open up to the challenge and to the opportunity that this presents to us.

We need a credential assessment system and agency in Ontario that can very rapidly accredit and say when the accreditation is acceptable. We need an appeal mechanism, so that people who are turned down, such as the five Albanian women who want to be teachers, can appeal and not simply be told that the regulations have changed.

In this province, we need to do something that Quebec did in the 1970s. Quebec determined that they wanted to get into the immigration game. They determined that it was in the best interests of that province to get into immigration and to help choose their own immigrants, those that they needed. I would remind this Legislature that we have that authority, and we have never exercised it. The law in Canada is still extant. The British North America Act, section 95, reads as follows:

"In each province the Legislature may make laws in relation to agriculture in the province, and to immigration into the province; and it is hereby declared that the Parliament of Canada may from time to time make laws in relation to agriculture in all or any of the provinces, and to immigration into all or any of the provinces; and any law of the Legislature of a province relative to agriculture or to immigration shall have effect in and for the province as long and as far only as it is not repugnant to any act of the Parliament of Canada."

Quebec has used that quite brilliantly to bring in the class of immigrants they need. They choose their own doctors; they choose their own nurses; they choose their own engineers; they even choose their own lawyers.

I will tell you, we would have a great opportunity, not only to choose those people, but we would have an opportunity, if we were willing to expend the money and if we were serious about helping foreign-trained individuals, to be there in all of those countries from whence immigrants come, to assess their qualifications. What would be better, what could possibly be better, than to sit down and say, "We choose you to be a doctor, or a nurse," or "We choose you to be a teacher," or "We choose you to be an engineer"?

This is what we are telling you right now: "You are accredited." We have done all of this work and we'll tell you, when you arrive in Canada, when your passport is stamped, "You will be accredited, and you are accredited by virtue of our choosing you here in the field," or, in the alternative, "You will not be accredited in Canada. However, you might have to take a one-year course, you might have to go back to school, you might have to go to internship." At least those people would know. Humanely and civilly, we could tell them, "You will not be accredited in Canada. We will not accept you in Canada or in Ontario." Then those people can remain where they are. To my mind, and I think to the minds of many, it is far better to leave a doctor in a Third World country, helping the citizens of that country, than to bring them here and, as one of the members here said, have them deliver pizzas or work in a kitchen or drive a cab. It is far better in the entire world to do exactly that. That's what we could do if we were in the immigration game.

It's not enough just to pass this motion—and I will be voting for it—but we must seize the opportunity for all of our people, and in so doing, we will seize the opportunity for Ontario.

**Mr Tony C. Wong (Markham):** I'm happy to speak in support of this resolution, and I will start by saying that, as the member from Beaches-East York said, it is now trite for us to say that we are a country of immigrants. We also say that Ontario is the land of opportunities and that we welcome new immigrants from every corner of the world with open arms. But do we? It is one thing for us to admit new immigrants who have excellent credentials and experience in their country of origin, and yet another for them to arrive and find almost insurmountable barriers to working in their own profession or trade here.

As a former solicitor dealing with immigration files, it has always baffled me that our immigration admission system used a point grid system to rank applicants with respect to their education, their experience and also with respect to the occupational demand in Canada, but as soon as they arrived, they quickly found out that they actually could not work in their own field or their own profession. This totally defeated the purpose of that system. I understand that the admission system has been reformed, and it's improved somewhat, but the fact remains that these administrative and regulatory barriers continue to exist today.

I also want to talk about the other angle, about the benefits that we, Ontario, get when these qualified professionals and tradespeople come into our province. It has been widely reported that there is a serious shortage of skilled labour, and I think it is important for us to recognize that it's not just for the benefit of these immigrants or these people who are trained overseas to be able to work in their own profession or trade, but it will also significantly contribute to us as we proceed to build a strong and vibrant economy.

I've been meeting with stakeholders in the small business initiative to try to identify areas where we can help meet the needs of small and medium-sized businesses, and we've heard time and time again that the lack of skilled labour is one of the major issues preventing these small businesses from growing to the next stage. We are not talking about lowering the standard; we are talking about lowering the barrier so that these new immigrants or these people who are trained overseas can more readily qualify under our existing standards.

I understand that a number of initiatives have been undertaken, including the recent announcement by our Minister of Training, Colleges and Universities, putting in place programs such as internships, but that has to be really improved and expanded quickly.

I want to conclude by saying that when Premier Dalton McGuinty talked about building a better Ontario for everyone during the election last year, I think that must include the removal of barriers for people with these overseas qualifications and training to allow them to realize their potential in our province.

**Mr Jerry J. Ouellette (Oshawa):** It's a privilege to rise and speak on ballot item 18, as it's a large concern to a lot of individuals. I know that within my own riding, we have Rider Tool, for example, which is currently having a major problem. I know they were having a major problem getting qualified individuals to work on the machinery they had. They were advertising in every jurisdiction in North America, and they weren't having anybody come in. So they had to go to Europe to advertise to bring qualified individuals in.

But the main reason I wanted to speak in the Legislature today was because of the foreign physicians issue. Personally, I had a family approach me that was having difficulty bringing in a brother from another country. He wasn't being allowed out of the country because he was a doctor in that country. They didn't really want to let him out, because this isn't an issue that's just taking place here in Ontario or in Canada but throughout the world, the shortage of doctors. So there were some difficulties there, and I went through the Canadian consulate in that country to help that individual come to Canada.

1150

Since he has been in Canada—he wants to stay here, of course. Part of the problem is now—and I don't think anybody has any difficulty with the standards; that's first and foremost. Everybody wants to ensure that the standards found in Ontario are maintained. But where the problem comes in is that one department of the federal government gave this individual a work permit so that he could work in a car wash. So we have a foreign doctor now working in a car wash. It's not just car washes; I met doctors who are working as receptionists, in laundry facilities, at hospitals—all trying to go through the process.

The difficulty in this particular case was that the federal government would give the individual a work permit to work in Ontario but would not give the individual landed immigrant status. It compounds from there. The College of Physicians and Surgeons would not begin processing this individual until they received landed immigrant status. So the federal government was now telling this individual that they had go back to their country of origin to make application to come to Canada. Well, you can just imagine what's going to happen if this individual goes back to his country of origin. I don't think he'll be back in Canada.

So we have been able to try to work with this issue, but this is just one example. I know a number of others within our community. We really need to focus on that to make sure that those individuals who want to come to the great country of Canada have that ability, whether it's streamlining the process so that we can effectively identify certain professions that have met the qualifications so that we can move that up, or whether it's combining and making sure that process is actually working together with the federal government so they can begin the process right away and cut about a year's worth of steps off that landed immigrant status.

I know all are working for it, and I commend the member for bringing this forward, because I believe it is

something that we all need to work for for the betterment of our community. I thank you for the opportunity to speak today.

**Mr Phil McNeely (Ottawa-Orléans):** I'm pleased to support the important resolution before us today so eloquently put by the member from Etobicoke North.

The picture we're seeing in this province and in this country is that our workforce is aging. By 2011, we'll have 13% fewer younger people, who are the ones who contribute most to the workforce, and 13% more of the type like myself.

The situation for the province is unsustainable. These economic and demographic trends are indicating that we must rely on the skills of foreign-trained tradespeople and professionals to be able to compete in the global market. But ensuring that people can work in their fields just makes good sense. The investment they have made in themselves is, simply put, a gift to us and to our province. Ontario typically receives 100,000 immigrants a year from over 180 countries, and their profile has changed significantly. Now, over 40% of newcomers arrive with bachelor's degrees or higher.

I'd just like to tell you a story about my own engineering firm. We had a young fellow apply to us, a young Lebanese engineer. He wanted to work. We didn't have the place for him, but we kept him in mind. Then one of our engineers lost his driver's licence. Ziad's name was there, and we called him in and asked, "Would you drive for this engineer?" Ziad said yes. He wanted to get into the engineering profession. Within a year or two, he was doing engineering work. After a few years, he was one of our top engineers. He's now with the city of Ottawa.

So I think what's often lacking is that opportunity, and it's extremely important that we do provide the opportunity.

To suggest, as the members from Haliburton-Victoria-Brock and Durham have, that our government is acting slowly is not correct. This is one of our priorities. You can see from the people who have spoken this morning from our side of the House that we're going to make up for that eight years of inaction.

We must trade to compete. To compete, we must assist those professionals and specialists among our new Canadians in maximizing their contribution. What better people can we get to facilitate economic activity between Canada and their countries of birth?

So I want to thank my honourable colleague for bringing us the opportunity to debate this issue today. It's the first step. I think we all acknowledge that this is just the start; our program is much larger. We have to provide opportunities. It's not enough just to say, "Well, we'll change those qualifications." We must reach out to our new Canadians. We must bring them into the workforce, and that's for our own good. That's for the good of our province. We have to take advantage of the opportunity we have to make sure that every doctor, every engineer, every scientist and all the good tradespeople have opportunity. The opportunities aren't going to come simply; it has to be a concerted effort by our government. We will

do that, that concerted effort, that will identify the people who need the opportunity to serve our province and our country better.

So I thank the member for bringing this forth. I think it's excellent. It's our first step toward getting this done.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I'll address this resolution on immigration from the perspective of business and industry in my area. I thank the member for Oshawa for sharing his time and experience in working with a foreign doctor who's working in a car wash.

I had a chance to attend a symposium put on by our local Grand Erie Training and Adjustment Board. They had presentations from Kim Richardson of KRTS Transportation, a presentation from Stelco and presentations by a number of foreign-trained professionals—Andrei Novokchanov, Viorel Grosu and Maria Teresa Fernandes de Castro.

Stelco Lake Erie Works has looked at this issue from an employer's perspective. In the early 1980s they brought a number of trained mechanical and electrical workers from Britain just to fill a need that could not be provided locally. I will point out, and I know the union would back me on this, that Stelco Lake Erie is one of the most efficient steelmakers in North America with respect to person-hours and tonnage produced.

We were also given an overview by Kim Richardson. He runs a truck training operation in Caledonia—Kim Richardson Transportation Specialists. They're very successful in training many internationally educated employees and individuals, but also support them in finding employment. This kind of support is particularly important for internationally educated people, as we know, in attempting to obtain meaningful employment in Ontario.

Because immigration is so important in Ontario—it's vital to our future—Ontario really deserves a hand in shaping the policies that bring newcomers here. Quebec and the federal government, for example, have already negotiated a special agreement governing immigration to that province. We need our own immigration agreement with the federal government, using a made-in-Ontario approach to achieve certain goals—testing potential immigrants, evaluating them before they come to Ontario, to help us better coordinate and collaborate in some of the issues we're discussing today.

**The Deputy Speaker:** Mr Qaadri has two minutes to reply.

**Mr Qaadri:** I'd like to thank, honour, welcome and salute my colleagues in the Liberal caucus: the members from Davenport, London-Fanshawe, Brampton West, Mississauga, Markham and Ottawa-Orléans. They have spoken very clearly about the value that we in this Legislature, as the people representing Ontario, must hold dear—our greatest riches, our greatest assets, and that is, of course, the very people of Ontario, in particular the individuals, the internationally trained professionals and skilled tradespeople who come from more than 100 countries.

I'd also like to salute the independent member for Beaches-East York for his always considered remarks and, as well, the Tory MPP for Oshawa for his contribution. I'd also like to acknowledge, merely, the faint praise or the reluctant acquiescence, detectable but not substantial, from the MPP for Haliburton-Victoria-Brock and the MPP for Barrie-Simcoe-Brampton, and their newly found and newly manufactured concerns about new Canadians, new Ontarians. As I recall, as they refer to our own platform, I would remind them with respect that their program for immigrants, new Canadians, was actually found in their Criminal Code section. So I'll let others conclude.

It's on an urgent and personal basis that I speak to you on behalf of the many, many professionals and skilled tradespeople, be they engineers, teachers, architects, physicians, even lawyers, cooks, automotive workers, machinists, electricians, plumbers and so on.

Equality of opportunity, the opportunity to labour in freedom, to prosper unencumbered, and to eventually achieve a measure of self-respect, self-reliance and a measure of success, however an individual may define it: That is what this resolution is about, and that is what I ask this House to support.

#### NORTHERN HEALTH TRAVEL GRANT

**The Deputy Speaker (Mr Bruce Crozier):** We'll deal first with ballot item number 17. Mr Orzietti has moved private member's notice of motion number 15.

Is it the pleasure of the House that the motion carry? Carried.

#### IMMIGRANTS' SKILLS

**The Deputy Speaker (Mr Bruce Crozier):** We will now deal with ballot number 18, standing in the name of Mr Qadri. He has moved private member's notice of motion number 14.

Is it the pleasure of the House that the motion carry? Carried.

All matters relating to private members' public business having now been completed, I will leave the chair. The House will resume at 1:30 of the clock.

*The House recessed from 1201 to 1330.*

#### MEMBERS' STATEMENTS

#### ROYAL CANADIAN NAVAL ASSOCIATION

**Mr Jerry J. Ouellette (Oshawa):** It is with great pleasure that I rise today to congratulate the Royal Canadian Naval Association on 50 years of service. The Oshawa Naval Veterans Club in my riding is hosting the association's 50th annual reunion this weekend. There will be delegates from all over Canada and from as far

away as Australia. It is expected that over 700 veterans and cadets from the army, navy and air force will descend on Oshawa for this event.

The association was granted its royal charter in 1954. It was established to further the efficiency and well-being of service, preserve its traditions and encourage recruiting, as well as foster comradeship among those who have served, or are serving, in our naval forces.

We should take the time to reflect on those services that provide us with the freedom and prosperity we enjoy in our country today. The dedication and hard work of our navy and armed forces grant us a lifestyle that is second to none in the world.

As a life member of the Oshawa Naval Veterans Association, I invite all members to join me in congratulating the event organizer, Des Stelle, and the Royal Canadian Naval Association for 50 years of dedication and commitment. Like the bumper sticker says, "If you like your freedom, thank a vet."

#### SUDANESE HOMEWORK CLUB

**Mr John Milloy (Kitchener Centre):** I'm proud to rise in the House during Education Week to congratulate a group of dedicated literacy and ESL teachers in the Waterloo region who are helping newly arrived Sudanese families adjust to Ontario's education system through the establishment of the Sudanese Homework Club.

The club began in 2002 at St John school in Kitchener after consistent gaps began appearing in the results of newly arrived Sudanese children's work in the classroom, especially in the area of literacy. Concerned parents, with the support of Sudanese community leaders, developed the idea of a comprehensive after-school program to help teach students and parents the necessary skills required to succeed in our school system.

The homework club meets twice a week, where it provides a place for students to receive help with homework assignments; information to parents about school expectations in Ontario; ongoing support to parents about school related matters; a means of communication between the school and the parents; and a link for parents to be able to communicate with the school.

I would like to commend the Waterloo Catholic District School Board's Cathy Moloney, Diane Workman, Mary Coyne, and Maureen Innes, Sudanese community members Anthony Gubek and Cecilia Imunu, and all the dedicated volunteers who work in this program. This is only one example of the proactive approach my community has taken to improving student literacy. I would like to take this opportunity to invite the Minister of Education to my area to visit the Sudanese Homework Club and to learn more about some of the other programs operating in the Kitchener area.

#### LANDFILL

**Mr Garfield Dunlop (Simcoe North):** On February 25 of this year, I submitted, under subsection 62(1) of the

Environmental Bill of Rights, an application for review of the certificate of approval for the county of Simcoe landfill site 41. I received a letter from the Ministry of the Environment on March 1 stating, "You will be sent a notice of decision as to whether a review will be conducted, along with the rational for this decision, by April 27, 2004." Ten days have now passed without a phone call or a letter.

In light of the recommendations in Justice Dennis O'Connor's report on the Walkerton inquiry; in light of Minister Dombrowsky's release of the white paper on watershed-based source protection planning; in light of Minister Dombrowsky's very own legislation, Bill 49, the Adams Mine Lake Act; in light of Minister Dombrowsky's December 18, 2003, announcement of a water-taking moratorium that "takes action to stop the giveaway of Ontario's precious water sources"; and in light of Minister Dombrowsky's statement on Earth Day, on April 22, when she was quoted as follows, "The McGuinty government is moving rapidly to protect the air we breathe and the water we drink, and to ensure our waste is handled properly," surely with the facts I just provided, the minister would not delay the application for a review decision, or for political purposes actually deny my request for the review.

I thought the Walkerton tragedy was supposed to have taught us all a lesson about how we treat our precious groundwater resources. Site 41 has the potential for severe groundwater contamination equal to or greater than the Adams mine. The citizens of Simcoe North expect a timely and favourable decision on my application for a review under the Environmental Bill of Rights. They deserve the same respect from the minister as the citizens of Timiskaming-Cochrane.

### GUELPH STORM

**Mrs Liz Sandals (Guelph-Wellington):** The hockey season has come to a disappointing end here in Toronto, but it is alive and well in Guelph. The Guelph Storm outplayed, outmanoeuvred and outlasted the Mississauga Ice Dogs with a 5-1 victory last night in Mississauga, to win the OHL championship. The Guelph Storm won four straight games against Mississauga, the first time since 1988 that a team has swept the finals.

Star forward Matt Ryan led the Storm with a two-goal performance, while Cam Janssen, Ryan Callahan and Brett Trudell each added a goal. Guelph goalie Adam Dennis barely broke a sweat, with only 20 saves. The Storm outshot the Ice Dogs 41 to 21.

Captain Martin St Pierre, Guelph's veteran sniper, won the Wayne Gretzky 99 award as the league's top performer in the playoffs. The top gun led the Storm in the playoffs with eight goals and 26 assists.

The Guelph Storm will represent the Ontario Hockey League at the 2004 Memorial Cup in Kelowna, BC, beginning May 15. The Storm has had a solid history of victories. This is the fourth time in 13 years they have participated at the national championship. Back just two

years ago, Guelph had the honour of hosting the Memorial Cup.

I hope all members of the Legislature will join me in cheering on Ontario's representatives at the Memorial Cup. Go Storm!

### ANTHONY HSU

**Mr Peter Kormos (Niagara Centre):** Dr Anthony Hsu's birthday is May 12. He, of course, isn't here to celebrate it because his life was stolen from him as a result of the attack on him by the MRC audit system. But Tony Hsu led, and his spirit continues to lead, the struggle to end MRC audits, to create a humane and fair audit process and to put a suspension, a moratorium or freeze on those audits until such time as a fair process is developed.

Irene Hsu, Dr Hsu's widow, wrote to me, "Do you know if there is any remote chance that I can write a birthday card telling" Tony "that I love him and I miss him very much and that the moratorium legislation is being passed at Queen's Park, and throw the card in the lake?"—the same lake on the shores of which Tony Hsu's body washed up.

I say to the Minister of Health, Liberals during the election campaign promised to freeze, to put a moratorium on, the MRC audits. They promised that to get elected. Two weeks ago, I promised that the New Democrats would do everything we had to do to accelerate legislation to freeze these MRC audits. Minister of Health, New Democrats are going to keep our promise. Will you keep yours?

### HEPATITIS C

**Mr Tony C. Wong (Markham):** I rise in this House to recognize Hepatitis C Awareness Month. Hepatitis C is a viral blood infection that can lead to liver failure. This disease is a significant public health concern, and I join with Ontario's health care providers and organizations like HepACT, the Hepatitis Activist Group, in urging Ontarians to learn more about hepatitis C so they can combat its effects and prevent its transmission.

Hepatitis C, if left untreated, can cause serious liver damage and even cancer. It is estimated that up to 2% of Canada's population carries the hepatitis C virus. In Ontario, we have identified about 60,000 people who are infected with hep C, but there are many more people who still do not know that they have it. Unlike other forms of hepatitis, there is no vaccine against hepatitis C, but anti-viral drugs are an increasingly effective form of treatment.

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There is a way to manage and live with hep C, but what role should the government play in making this disease manageable? Funds need to be set aside for early detection and treatment. But in all other aspects of health policy in this province, the most basic of those is primary care, the very basics of a having a family doctor attend to you and your ongoing care. If you're put on a treatment

program with a specialist, even if that specialist is in another city, you have to have that continuing care in your community.

We would like to thank organizations like HepACT and HepCURE for their tireless work to raise awareness of hep C in Canada.

#### OMEMEE AND DISTRICT LIONESS CLUB

**Ms Laurie Scott (Haliburton-Victoria-Brock):** I'm pleased to rise today to draw the attention of the Legislature to a ceremony that took place in my riding on May 1, marking the 25th anniversary of the Omemee and District Lioness Club.

The Omemee and District Lioness Club was chartered on May 12, 1979, with 15 members. Four charter members—Ruth Bailey, Edna Carew, Diana Clifford and Noreen Parks—are still active in the club.

The main focus of the club is to serve in the community with ongoing projects such as the food bank, Women's Resources, Omemee Children's Centre, Five Counties Children's Centre, chapel restoration at Emily Cemetery, vision screening, local families in need and cries for help that they can afford to support.

The Lioness Club is also a strong supporter of both Peterborough and Lindsay hospitals. In 1995, they raised over \$6,000 for CAT scan equipment in Peterborough. More recently, they have been supporters of the heart catheter and the defibrillator equipment in their local fire department.

Beyond our community, they've also helped to support District A-16 projects and worthwhile organizations far afield, such as Lions Club Camp Kirk. In 1985 to 1986, they furnished the double room at Canine Vision Canada. They continue to support the foundation, and all club members have life memberships.

Over the years, they've raised money in many different ways. In November 1988, the Lioness Club tried a new fundraiser: apple pies. Fifteen years and approximately 50,000 pies later, this project is still one of their main sources of income.

I would like to add my congratulations and thanks to President Sue Collins and all the members of the Omemee and District Lioness Club. Without their efforts over the past quarter century, the community would have been a much poorer place. You have much to be proud of. Congratulations.

#### HEALTHYONTARIO.COM

**Mr Mike Colle (Eglinton-Lawrence):** Mr Speaker, you, in particular, will be happy to know that HealthyOntario.com, an Ontario government Web portal that provides easy access to consumer health information, is in the running for a top international Internet award, the Webby Award.

HealthyOntario.com is being recognized for its excellence in providing Ontarians with information they

need to learn about themselves and find answers to their health questions. Ontarians can use HealthyOntario.com to find a doctor near them and look up information on specific health conditions and medications. The Web site's success is also reflected in the enormous response from the public, as it averages more than 4.5 million hits each month.

Since being launched in October 2002, HealthyOntario.com has won nine major information awards for delivering high-quality service to the public. Some of these awards include the 2003 National Award of Excellence for best Web site, the 2003 prize for best writing and outstanding electronic and interactive communication, and the 2003 Ontario Showcase Award.

HealthyOntario.com is one of five nominees for the eighth annual Webby Awards for government and law Web sites. The Webby Awards are chosen by members of the International Academy of Digital Arts and Sciences. HealthyOntario.com is also eligible for the Webby's People's Voice Award, where members of the public vote on-line. Winners of the Webby Awards will be announced May 12.

I would ask that all Ontarians cast their vote for HealthyOntario.com by visiting [www.webbyawards.com](http://www.webbyawards.com). Visit HealthyOntario.com. Let's hear it for HealthyOntario.com. Make sure you cast your vote, Mr Speaker.

#### AGRICULTURAL AWARDS OF EXCELLENCE

**Mr Ernie Hardeman (Oxford):** My riding of Oxford is well known for its contribution to agriculture. It's been called the dairy capital of Canada, but actually all but a few of the commodities in the agriculture portfolio are grown there. Many Oxford farms are on the cutting edge of technology and set the pace for agriculture in the province.

That's why it gives me pleasure to speak today about the Agricultural Awards of Excellence hosted by the Oxford County Federation of Agriculture. Through these awards, the best and the brightest in Oxford are recognized either because of the excellence they have shown in their field or because of their dedication to their rural community. I have been fortunate to be able to attend the awards every year since their inception and I'm always amazed at the diversity and ingenuity of the farming operations highlighted. This year, after enjoying a wonderful meal prepared using Oxford county produce and listening to the presentation by Dr Craig Pearson, dean of the Ontario Agricultural College, I was once again delighted to help the community recognize this new crop of winners.

At this time, I'd like to congratulate the Oxford County Federation of Agriculture 2004 Awards of Excellence winners: winner of the community service award, Kit Caffyn; co-winners of the youth in agriculture award, Dan Alyea and Chad Arthur; winner of the conservation award, the Janssen family; outstanding family farm, Smithden Holsteins; Kuipers Mushrooms, farm

innovation; winner of the food processing award, Cee Bees' Hive Products; small agribusiness award, Aaross Farm; Sylvite Agri-Services Ltd, large agribusiness; and last but not least, the president's award went to Olspank Dairy, owned by the Kappers family.

I'm proud to say that I represent such a fine rural community with such excellent stewards of the land as these award recipients. I wish them continued success.

### SPEAKER'S RULING

**The Speaker (Hon Alvin Curling):** Thank you. I ask the House's indulgence.

On Wednesday, May 5, 2004, the member for Durham, John O'Toole, introduced Bill 75, An Act to amend the Retail Sales Tax Act, which seeks to increase exemptions from a tax. After first reading of the bill, the government House leader, Mr Duncan, asked that the bill be reviewed as to its orderliness.

I have had an opportunity to review standing order 56, the provision in our standing orders that deals with money bills, together with the relevant parliamentary authorities and precedents.

Marleau and Montpetit's House of Commons Procedure and Practice states at page 898 that "private members' bills which reduce taxes, reduce the incidence of a tax, or impose or increase an exemption from taxation are acceptable."

I also note that, in our own House, on December 12, 2002, the Speaker ruled that a bill that would increase exemptions from assessment for senior citizens and disabled persons did not offend standing order 56.

In light of these authorities and precedents, I find that Bill 75, which seeks to increase exemptions from a tax, is in order.

I thank the government House leader for raising his concern.

### WEARING OF BUTTONS

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: Yesterday I was advised that Toronto Sun workers here at Queen's Park were admonished not to wear pins which advocated their position in the effort on their part and that of their co-workers, members of CEP Local 87, not only to organize a union, which they've done, but to negotiate a first contract. I put to you that Sister Christina Blizzard, Sister Antonella Artuso and Brother Alan Findlay work here at Queen's Park. This is their workplace, and no employer would be permitted, during the course of contract negotiations, first contract or otherwise, to forbid a worker from wearing a symbol of their support and solidarity with their sisters and brothers in the course of that effort.

I put that to you as a point of order. However, we can resolve it without your having to make a ruling by permitting, by way of unanimous consent, people to wear these buttons, reading "Underpaid, Understaffed, Underappreciated," in solidarity with our sisters and brothers in

CEP Local 87, those workers at the Toronto Sun who are courageously attempting to negotiate a first contract to obtain justice and fairness for themselves—

**The Speaker (Hon Alvin Curling):** I wouldn't regard this as a point of order, but if you're asking for unanimous consent to wear that button, I could ask the members. Is there unanimous consent? Agreed. Thank you.

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### INTRODUCTION OF BILLS

#### CONRAD GREBEL UNIVERSITY COLLEGE ACT, 2004

Mr Arnott moved first reading of the following bill:

Bill Pr5, An Act respecting Conrad Grebel University College.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

#### RETAIL SALES TAX AMENDMENT ACT, 2004

#### LOI DE 2004 MODIFIANT LA LOI SUR LA TAXE DE VENTE AU DÉTAIL

Mr Arnott moved first reading of the following bill:

Bill 77, An Act to amend the Retail Sales Tax Act / Projet de loi 77, Loi modifiant la Loi sur la taxe de vente au détail.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Ted Arnott (Waterloo-Wellington):** This bill was motivated in response to the Minister of Transportation's announcement earlier this week. If passed, this bill would ensure that there would be a sales tax exemption for all children's car and booster seats. If the government is going to compel parents to buy booster seats for children, the least they can do is make sure that all car seats for kids are exempted from provincial sales tax. I would ask all members to support this legislation.

### MOTIONS

#### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I seek unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon Alvin Curling):** Is there consent? Agreed.

**Hon Mr Duncan:** I move that notwithstanding standing order 96(g), notice for ballot item 22 be waived.

**The Speaker:** Do we have consent? Carried.

## COMMITTEE Sittings

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I seek unanimous consent to put forward a motion without notice regarding the standing committee on finance and economic affairs.

**The Speaker (Hon Alvin Curling):** Agreed? Agreed.

**Hon Mr Duncan:** I move that the standing committee on finance and economic affairs be authorized to meet in the morning and afternoon of Wednesday, May 12, 2004, for the purpose of considering Bill 40, An Act to amend the Insurance Act to protect emergency service providers from rate increases to their personal contracts of automobile insurance.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

## MINISTER'S BIRTHDAY

**Mr John R. Baird (Nepean-Carleton):** On a point of order: It is certainly my privilege to indicate to the House that it is the birthday of the Minister of Transportation, Harinder Takhar, and to extend to him our very best wishes.

## MEMBER'S WEDDING ANNIVERSARY

**Mr Mike Colle (Eglinton-Lawrence):** On a point of order, Mr Speaker: Marking important days, this is also the day the member for Chatham-Kent, Pat Hoy, and his wonderful wife are celebrating 32 years of marriage.

**The Speaker (Hon Alvin Curling):** There are a lot of important days here.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### CANADA-ONTARIO MUNICIPAL RURAL INFRASTRUCTURE FUND

**Hon David Caplan (Minister of Public Infrastructure Renewal):** My purpose today is to inform the House, and through you the people of Ontario, of our government's progress in establishing the Canada-Ontario municipal rural infrastructure fund. In co-operation with our federal and municipal partners, this historic program will provide almost \$900 million over the course of the next five years for the renewal of public infrastructure in small towns and rural communities.

Hundreds of communities in all parts of the province will benefit from this program. It will help smaller municipalities provide clean drinking water and better waste water treatment facilities. It will help them fix their roads. It will help them repair their bridges. It will strengthen communities right across this great province of ours. It will help overcome the neglect of past governments that have allowed rural infrastructure to fall into

disrepair. It will help deliver the real, positive change that is our government's most important commitment.

Earlier today my colleague the Minister of Municipal Affairs and Housing and I, along with representatives of the federal government, were in Owen Sound attending the Organization of Small Urban Municipalities conference. At this conference, the government of Canada and the government of Ontario signed a letter of intent paving the way for implementing the new Canada-Ontario municipal rural infrastructure fund, or COMRIF. Joining us for the signing of this historic agreement was Ann Mulvale, president of the Association of Municipalities of Ontario.

We know that the strength of Ontario depends on the strength of our rural communities and smaller urban centres. Helping these communities restore their municipal infrastructure will contribute to continued prosperity for small-town Ontario and improve the quality of life for our people.

It is an important part of our government's commitment to build strong and safe communities, so in this regard we are going to give these communities the financial programs they need to plan and manage their own future, based on their own needs and based on their own identified priorities. We will give them the tools to build their own successes.

This program is different from those that have been put forward by previous governments in many important respects, and I want to highlight them for you.

One of the most significant improvements is the degree of co-operation we have achieved with our counterparts in the federal government and with our partners at the municipal level.

The Association of Municipalities of Ontario has participated in all aspects of our discussions with the federal government that are taking place in establishing this fund. As a result, the program reflects the real needs of smaller municipalities. It supports projects that have real benefits for the people of those smaller communities because they will have grown from the ground up instead of being dictated, as they have in the past, from the top down.

The previous government engaged in a war of attrition with other levels of government. Political posturing and endless bickering crippled the policies and programs that survived those quarrels. They were designed to make the government look good, but they neglected to do good for the people who ultimately paid for them. So we are entering a new era of co-operation among governments and we are delivering results.

COMRIF, the Canada-Ontario municipal rural infrastructure fund, will restore public infrastructure in smaller communities across this great province. These investments will result in improvements to our public health and to our economic prosperity, improvements that will last for generations.

The Canada-Ontario municipal rural infrastructure fund is just one more example of the ways in which this government is delivering real, positive change that will

make Ontario strong, healthy and prosperous. It's a proud day for Ontario citizens.

1400

### INVASIVE FISH SPECIES

**Hon David Ramsay (Minister of Natural Resources):**

It's my pleasure to stand in the House to advise the members of actions this government is taking to make sure the province's lakes are cleaner and healthier.

Earlier today, at a consultation meeting on the proposed national alien invasive species strategy, I announced that the government is banning the live sale of several invasive fish species. The new regulation prohibits the buying and selling of live bighead, black, silver and grass carp, along with all species of snakehead and two species of goby that are used for bait.

In addition, the regulation bans the sale of these fish for use in aquariums, as well as the use of grass carp in backyard ponds. While these carp species currently sold live in food markets will still be available for sale, they must be killed before the customer can remove them from the store.

I would like to provide a bit of context for the members on why these measures are being taken.

Invasive alien species have long been a difficult problem for jurisdictions across this country. The 100 worst invasive alien species listed by the World Conservation Union include many that are now established in our province, such as purple loosestrife, Dutch elm disease, zebra mussel and spiny water flea.

In addition to the obvious environmental threat they pose, they can also jeopardize the economy, social and human health, as well as international trade. Ontario has been front and centre in efforts to halt the spread of these species.

One of our key goals as a government is to keep Ontario's natural environment healthy, with cleaner air and water. Of course that includes keeping our fish and wildlife populations healthy, thriving and sustainable.

Maintaining a healthy natural environment must include controlling the introduction and spread of invasive species. In recent years this has become an increasingly urgent issue, particularly in the Great Lakes basin. I think a lot of Ontarians would be surprised to learn that more than 160 invasive species have become established in our Great Lakes. Many of them have had a negative economic and ecological impact, with the sea lamprey and the zebra mussel perhaps being the best known of these.

Right now, the introduction of invasive carp into the Great Lakes presents a very serious and imminent threat to our environment, and that is why we have acted.

When we proposed a ban in February, we outlined our intentions in an Environmental Bill of Rights registry posting that closed at the end of March. There was very clear support for the proposal, with over 70% of responses urging us to proceed.

It is apparent that we need to prevent these species from being introduced to our waters either on purpose or by accident. That makes more sense than trying to control their spread once they're here. If invasive carp were to take hold in the Great Lakes, there is concern over the negative impact on recreational and commercial fisheries and on fish and wildlife habitat in shallow and near-shore areas.

I've been told by our experts that these species have not yet become established in the Great Lakes, despite the few reported incidents of carp being captured in Lakes Huron, Erie and Ontario. As some members may know, the impetus for this action was finding grass carp last month at the mouth of the Don River.

Not only have we put in place a new regulation, but we've also asked the federal government to help us. While there is no doubt that this new regulation will be helpful, it may not be enough. So yesterday I forwarded to the Department of Fisheries and Oceans a formal request to amend the Ontario fishery regulations to prohibit the possession of live fish of the same invasive species. I've also asked the federal government to expedite this approval.

The members may also be interested to know that we have been asked to help in the development of an invasive carp management plan for the United States. Ontario was one of two provinces invited to take part by a task force co-chaired by the US Fish and Wildlife Service and the National Oceanic and Atmospheric Administration.

Our government is committed to taking real, positive and decisive action to control invasive species. We call on everyone to participate in this effort to ensure its success: anglers, private landowners, non-government organizations, all levels of government and more. We must act now to protect our natural environment and preserve our biodiversity.

**The Speaker (Hon Alvin Curling): Responses?**

**Mr Jerry J. Ouellette (Oshawa):** It's good to rise on behalf of the MNR critic position to comment on the movement forward by the ministry. It's good to see these sorts of programs coming forward, as long as all the partners are dealt with on this. What's the implication going to be to the commercial fishermen that deal with live fish, who catch these fish, or the groups that bring them in to be sold in restaurants such as that?

What takes place sometimes is that in parts of Toronto you'll find these carp for sale in a restaurant, which will put them on display. What's the impact going to be, in that particular case, where a restaurant would go in to purchase these live fish to put them on display in the restaurant, where they're selected out by individuals who want to consume them? Are they going to have to be killed at that point, or is it at the final point of sale? I think that's something the minister needs to address, and hopefully he'll look into that. Also, it's been brought to my attention regarding the commercial fishery and the impact on them regarding bringing in and exporting fish as well. Live fish, for commercial fishermen who use

hoop nets—the way they do business is importing and exporting.

I think one of the key areas in this that wasn't brought forward was the number one way in which invading species come into the province of Ontario, and that's through ballast water discharge. I know I brought a bill forward on ballast water discharge and, actually, as a result of that bill, I was asked to present to a US committee that was willing to move forward on a joint commission to bring in legislation that would affect all Great Lakes and all the jurisdictions around the lakes. We had one binding law and worked with the federal government on that. The industry's concern at that point was that there may be different laws in different jurisdictions that they would have to comply with. They were very willing to sit down with us to look at possible ways of dealing with ballast water discharge—the number one way that the round goby or the spiny water flea, to name but a couple, have come into the province of Ontario to deal with.

I know this is good. I would hope the minister does deal with commercial fishermen to ensure that their concerns are brought forward or at least minimized so they know that it's not impacting them. As well, I would hope the minister also knows that the number one food source for the black carp, which is one of the ones listed, is the zebra mussel. I know we don't want to introduce species to try and take care of other things, but those are the sorts of things that the minister has to consider. I think we don't have any problems supporting this, as long as all the stakeholders are being dealt with.

#### CANADA-ONTARIO MUNICIPAL RURAL INFRASTRUCTURE FUND

**Mr Ernie Hardeman (Oxford):** I want to commend the Minister of Public Infrastructure Renewal for the announcement today.

The Legislature will be aware that the previous government put in a \$600-million small town and rural infrastructure assistance program a number of years ago, which, incidentally, was a five-year program. People applied for it, then the election came along and the new government decided to make the program vanish. Today it has come back, and we're happy to see that.

We all know that the first phase of the program was designed to help municipalities, smaller municipalities in particular, deal with meeting the drinking water objectives of the province, because they were unable to do that without assistance. He mentions in his announcement, in fact, that he brought the federal government on side in order to make this work, and I want to commend him for that, because the one problem we had with the small town and rural infrastructure program was that the federal government refused to fund their share of the programs as they were announced. So I'm happy to see that he has done that. We've heard a lot of complaints about this present government not keeping their promises. I want to commend the minister for standing up.

I just want to read from a document that relates to that:

"Many people choose to live in rural Ontario for the quality of life it offers them and their families, and for a wide range of lifestyles possible in smaller communities with closer links to the natural environment."

They will help "rural municipalities by taking over responsibility for the maintenance and reconstruction of municipal bridges across Ontario.... These bridges represent a significant cost to rural municipalities but a significant benefit to most of Ontario. It only makes sense to have the provincial government take responsibility for this important infrastructure."

It's too bad they didn't keep their own promises, but I'm happy to hear that they took a promise out of The Road Ahead and are keeping that promise.

#### INVASIVE FISH SPECIES

**Mr Michael Prue (Beaches-East York):** There are two bills here. I just want to comment very, very briefly on the bill regarding the fish. It's a good bill; do it. That's all I need to say.

#### CANADA-ONTARIO MUNICIPAL RURAL INFRASTRUCTURE FUND

**Mr Michael Prue (Beaches-East York):** The second one is not quite the same kind of bill. With all due respect to the minister and to the critic from the Conservative Party, this is a bill that appears to us to be nothing more than old money rehashed to appear like new money. This is very much like the Conservative policy with the extra money coming from the federal government.

If you look at it, it's \$900 million spread over three governments over five years, which is about \$60 million a year. Now, \$60 million is not an amount that needs to be sneezed at, nor am I sneezing at it. But it is, in fact, only a fraction of what our small towns and small urban centres in Ontario need. They have estimated that they need at least \$200 million a year for five years in order to get the sewer and water infrastructure up to where it is. This is approximately one third of the money that they actually need in order to make water safe. It's about one third of the money they need in order not to bankrupt them. We know that many of these small municipalities are facing bankruptcy, or if not bankruptcy at least major tax increases, in order to comply with the water regulations as they are now required to do.

You have promised a new deal for our cities and towns. You have promised that our cities and towns are going to be much better places. The central thing you promised in all of that was to give them new sources of revenue: not sources of handouts, not sources of loans, not sources like you have said here today, but actual, real revenues, and chief among those you promised was the two cents on the gas tax. I was in some of those meetings during the election, Mr Minister, and heard you promise that.

That's the kind of thing we want to see, so they have a permanent, long-term solution to their problems of water and sewage infrastructure. As much as we welcome the announcement today, we're not convinced it is new money at all but simply a reannouncement of something the Tories did before.

Show some leadership. Go where you're supposed to be going, and that is to make them independent of this province and independent of the federal government, and to have sufficient monies on their own to make the infrastructure changes they need.

With that, I'll turn it over to my colleague.

**Ms Marilyn Churley (Toronto-Danforth):** This is just a drop in the bucket, so to speak, compared to what we know is needed to fix our aging infrastructure around this province, but not only that, to comply with all the new legislation that's been brought forward, some under the previous government and now of course we're continuing with the Nutrient Management Act, source water protection and the Safe Drinking Water Act.

I raised the question in this Legislature a while ago about Walkerton in particular, and I raised Walkerton because of course we know what happened there. That was the impetus that brought us to all these new pieces of legislation, which we generally support. But their water bills have gone up and up over the years, and they cannot afford them.

I have had a number of representatives from smaller municipalities across the province call me and meet with me to talk about the fact that they're having trouble meeting with representatives from the ministries, coming to talk to me to see what I can do to help them deal with these high bills they've been getting from the Ontario Clean Water Agency, which they can't afford to pay.

Next week, you will see on the order paper a resolution I'm putting forward; I'll tell you about it in advance. I've been trying to think of ways, working with these communities, which can help the government because of the deficit, which of course we know they knew was coming. Leaving that aside, they're going to be telling everybody they can't afford to reinvest the way they had promised. So here's an idea.

The government has recently brought in, with my support and my party's support, new regulations that eventually will start charging water takers—the people who are now taking our water for free. Bottled water companies were singled out, but there are others.

My resolution—and I had to be careful how I worded it because of the rulings on what kinds of money bills we, as private members, can bring in—will ask the government to give a significant portion of the fees that are collected from these water takers and put them toward a Safe Drinking Water Act, the proceeds from that to go to our municipalities to help them pay these high costs.

## DEFERRED VOTES

### ADAMS MINE LAKE ACT, 2004

#### LOI DE 2004 SUR LE LAC DE LA MINE ADAMS

Deferred vote on the motion for second reading of Bill 49, An Act to prevent the disposal of waste at the Adams Mine site and to amend the Environmental Protection Act in respect of the disposal of waste in lakes / Projet de loi 49, Loi visant à empêcher l'élimination de déchets à la mine Adams et à modifier la Loi sur la protection de l'environnement en ce qui concerne l'élimination de déchets dans des lacs.

**The Speaker (Hon Alvin Curling):** Call in the members. There will be a five-minute bell.

*The division bells rang from 1414 to 1419.*

**The Speaker:** All those in favour, please rise to be counted by the Clerk.

#### Ayes

Arthurs, Wayne	Fonseca, Peter	Phillips, Gerry
Bartolucci, Rick	Gravelle, Michael	Prue, Michael
Bentley, Christopher	Hoy, Pat	Pupatello, Sandra
Berardinetti, Lorenzo	Kennedy, Gerard	Qaadri, Shafiq
Bountrogianni, Marie	Kular, Kuldeep	Racco, Mario G.
Broten, Laurel C.	Kwinter, Monte	Ramsay, David
Bryant, Michael	Lalonde, Jean-Marc	Ruprecht, Tony
Cansfield, Donna H.	Leal, Jeff	Sandals, Liz
Caplan, David	Levac, Dave	Sergio, Mario
Chambers, Mary Anne V.	Marchese, Rosario	Smith, Monique
Churley, Marilyn	Marsales, Judy	Smitherman, George
Colle, Mike	Martel, Shelley	Sorbara, Greg
Cordiano, Joseph	Matthews, Deborah	Takhar, Harinder S.
Delaney, Bob	Mauro, Bill	Watson, Jim
Dhillon, Vic	McGuinty, Dalton	Wilkinson, John
Di Cocco, Caroline	Meilleur, Madeleine	Wong, Tony C.
Dombrowsky, Leona	Milloy, John	Wynne, Kathleen O.
Duguid, Brad	Mitchell, Carol	Zimmer, David
Duncan, Dwight	Oraziotti, David	
Flynn, Kevin Daniel	Peters, Steve	

**The Speaker:** All those against, please rise and be recognized.

#### Nays

Arnott, Ted	Eves, Ernie	Ouellette, Jerry J.
Baird, John R.	Flaherty, Jim	Runciman, Robert W.
Barrett, Toby	Hardeman, Ernie	Scott, Laurie
Chudleigh, Ted	Jackson, Cameron	Tascona, Joseph N.
Dunlop, Garfield	Klees, Frank	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 58; the nays are 14.

**The Speaker:** The ayes are 58; the nays are 14. Shall the bill be ordered for third reading?

**Hon Leona Dombrowsky (Minister of the Environment):** I move that the bill be referred to the standing committee on the Legislative Assembly, please.

**The Speaker:** The bill will accordingly be referred.

## ORAL QUESTIONS

### ONTARIO BUDGET

**Mr Ernie Eves (Leader of the Opposition):** I have a question for the Premier. Mr Premier, we've been reading some of your press clippings over the last few years about your stand on taxpayer protection legislation. It's an interesting journey, to say the least.

September 4, 1990: "McGuinty defends past Liberal tax hikes and says they have been necessary to counter declining federal transfer payments for social assistance, health care and education to help balance the budget."

In 1995, you claimed that you signed the taxpayer protection legislation, but your little red book of 1995 promised a balanced budget bill that would only commit to government balancing budgets over a specific financial cycle. Although you claimed to have signed that pledge, you did not. There were only four Liberal members who signed it, one of whom is still in the House, Mr Ruprecht, your member for Parkdale.

In 1997, you said, "I think government should always reserve the right to raise taxes," and yet on September 11, 2003, you signed this pledge not to raise taxes, never to implement a new tax without the consent of Ontario voters, never to run a deficit and to abide by the current taxpayer protection and balanced budget legislation.

How do you explain this great philosophical journey of yours over the last 14 years?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I have a more interesting journey to describe for you, and that would be the one taken by one Ernie Eves shortly prior to the last election. You will remember that the election took place on October 2. You will also want to recall that on September 22, on CHRO, then-Premier Eves said, "No, we will not be running a deficit this year." On Global TV on September 27, a few days before the election, he said, "We will balance this year." CKVR, on September 30, he said, "We will balance this year." Then, during the course of the leaders' debate, right in the thick of the campaign, he told the people of Ontario, "There won't be a deficit this year." If anybody's got some splainin' to do to the people of Ontario, it would seem to me it's Mr Eves.

**The Speaker (Hon Alvin Curling):** Supplementary.

**Mr Frank Klees (Oak Ridges):** To the Premier, here is the splainin' we'd like him to do: why, when he was elected Premier, contrary to the promise he made not to run a deficit, he refused in this House, on some 19 different occasions, to answer the question that was put to him regarding whether he, at any time, instructed his finance minister to come in with a balanced budget, to do the work that our leader would have done to make sure that a balanced budget would have been brought in. Why did he not do that?

**Hon Mr McGuinty:** Just so that the leader of the official opposition doesn't feel alone in this matter, he had others accompany him on this wonderful journey.

Jim Flaherty said, "We're back on track now, and the budget is balanced." Bill Murdoch said, "The government balanced its books." Elizabeth Witmer said, "We are going to make sure that we provide another balanced budget." One John Baird said, "We're keeping the budget balanced." And, of course, Tim Hudak himself said, "The books have been balanced."

The question that Ontarians find very pressing and weighing heavily on their minds is, why is it they couldn't rely on the government of the day, the people with access to the books, with access to the information, to give them the straight goods when it came to the state of government finances?

**Mr Klees:** The fact of the matter is that the people did get the straight goods. Who they didn't get the straight goods from was the Liberal Premier who signed a promise to balance the budget, was not willing to do the work that we on this side would in fact have done, and made the decision to bring in a deficit, contrary to the promise, to the commitment that he made to the people of this province.

Why, Premier? Why would you not do the work that had to be done to balance the budget in accordance with the promise that you made? Your word is worth nothing to the people of Ontario. Explain it.

**Hon Mr McGuinty:** This is something out of Rod Serling's Night Gallery. There's something surreal to this. The people on that side of the House are trying to blame us for the fact that we relied on them when they told us, and the people of Ontario, that there wasn't a deficit. They're criticizing us for relying on their word when it came to the state of government finances.

There is a lesson to be drawn from this, and that is this: We are going to pass a law in this Legislature that's going to ensure that those kinds of shenanigans can never happen again.

**The Speaker:** New question.

**Mr Eves:** To the Premier: Speaking of shenanigans, the Kenora Daily Miner and News is quoted as saying, "Cynics say Liberal leader Dalton McGuinty is only backing"—balanced budget—"legislation now because of political expediency—he sees it as a vote getter. They'd be right again."

Dalton McGuinty, you, yourself, on September 3 of last year, said, "I believe that balanced budgets are essential to the economic well-being of this province, and they must never be sacrificed in the name of political expediency." What happened, Mr Premier?

**Hon Mr McGuinty:** If we are going to provide an example that would be illustrative of cynicism, then we cannot possibly do so without making reference to this budget, 2003, put out by the previous government, which they were so ashamed of they couldn't introduce it inside this Legislature; they had to do it in an auto parts assembly plant. What they also put in this particular budget was that they said here the budget was balanced. It turns out that that was not true.

It was no wonder they took this document and introduced it outside of this Legislature. It is no wonder

that they wouldn't give us the straight goods during the course of the campaign or even prior to the campaign. It seems to me, if we're going to talk about cynicism, surely that defines it.

1430

**The Speaker:** Supplementary.

**Mr Klees:** Contrary to all the rhetoric, does the Premier not remember signing this: "I, Dalton McGuinty, leader of the Liberal Party of Ontario, promise, if my party is elected as the next government, that I will not raise taxes, or implement any new taxes without the explicit consent of Ontario voters—and not run deficits. I promise to abide by the Taxpayer Protection and Balanced Budget Act"?

Maybe we should hand that over to the Premier to let him recall that day, September 11, 2003. The Premier seems not to understand, having signed this pledge, that by doing the contrary, by planning a deficit, by planning tax cuts, he and his cabinet and every member of the government are, in fact, breaking the law. Paying \$9,000 won't cover that penalty. Do you really think the taxpayers of Ontario will let you get away with paying—

**The Speaker:** Thank you.

**Hon Mr McGuinty:** When it comes to a matter of the law and a matter of integrity and a matter of honour, I know that the member putting the question to me must be asking this of himself. He was part of a government that was committed, apparently, to the Balanced Budget Act. They proceeded to deliver a budget that was not, in fact, balanced, and we discovered that there is a \$5.6-billion deficit. As a consequence of that, members of that cabinet owe the people 25% of their salaries as cabinet ministers. So the question we have for him is, is he going to pay that money back to the people of Ontario?

*Interjections.*

**The Speaker:** Order. Final supplementary.

**Mr Klees:** On September 16, the Premier made the following statement: "We're not practising the politics of division. We're not practising the politics of cynicism. We've got a positive plan that is designed to bring about real improvement in the quality of life for Ontarians." This Premier did not do what our cabinet did. That was—and I recall the meeting very well—in light of SARS, in light of the additional impacts on the economy, our Chair of Management Board and our leader at the time said, "Gentlemen, ladies, we have to get to work, do the program review and ensure, by the end of our fiscal year, that we have a balanced budget." Why did that kind of leadership not come from this Premier? Why did the direction never get to the finance minister to bring in a balanced budget? You could have done it. You chose not to. You chose to break your pledge. You chose to—

**The Speaker:** Thank you.

**Hon Mr McGuinty:** What we choose to do is ensure that those kinds of shenanigans—what was perpetrated on the people of Ontario—will never happen again. We're going to bring into being in the province of Ontario a law that will bring genuine accountability, transparency and openness to the state of the government

books when we go into the next election. This is great news for the people of Ontario. We're going to give them the straight goods with respect to the state of our finances, and they will be able to rely on that information.

## TAXATION

**Mr Michael Prue (Beaches-East York):** My question is to the Premier. You really love trial balloons. First you blow them up, and then you shoot them down. First you were talking about toll roads, and then you shot that down; then there was the soup-and-salad tax, and you shot that down; then there was the hope tax on lotteries, and you shot that down. Today we have a new trial balloon, because it's barbecue season and you are now proposing to stick it to those who want a cold beer with their burger. Are you going to shoot this down, too? You said you wouldn't raise taxes. Tell Ontarians you won't ruin their summer by raising taxes on their wine, beer and spirits.

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** Now he's treading on some very thin ice. When you start talking about people's beer—I've heard from my brothers on this one. Let me just say that I know the member opposite has a tremendous interest in the budget we will be introducing in this House, for a change, on May 18. We look forward to introducing that budget here, and in the interim we of course are listening to all kinds of advice. He'll just have to be patient when it comes to a final response.

**Mr Prue:** The people of Ontario didn't have to be patient too long to see you raise hydro rates after promising you wouldn't. The people of Ontario didn't have to wait too long to see the increases in their auto insurance after you promised a decrease. But nowhere is your minister or are you talking about raising taxes for people who can afford it, people who earn above \$100,000, who got a 35% decrease under the Tories. You're not touching that. You know there's \$500 million sitting there that the largest corporations aren't paying on EHT loopholes, and we don't hear any talk about touching that.

This appears to us to be more of the Harris-Eves agenda by a Premier wearing a red tie. You're there to line the pockets of Bay Street and pick the pockets of people who can't afford it. My question again: Will you commit not to raise taxes on beer, wine and spirits?

**Hon Mr McGuinty:** The member opposite sings that sad, sorry, dated refrain about taxing the rich. We intend to bring a slightly more enlightened and progressive approach. Again, I appreciate the advice offered by my friend, and we very much look forward to introducing the budget.

## TORONTO POLICE SERVICE

**Ms Marilyn Churley (Toronto-Danforth):** I have a question for the Premier. There is no doubt that there's a growing crisis within the Toronto police force. I've

raised it with you before in this House, yet the province has done very little to ensure effective civilian oversight of the police force. Norm Gardner was appointed to the board by the province, yet he has now been suspended by the Ontario Civilian Commission on Police Services for the rest of his term. But he is appealing that.

Premier, you know what that means. There's a big hole on the seven-member board. As you know, the board needs all hands on deck right now to deal with the current crisis. I'm asking you, Premier, will you do the right thing and fire Norm Gardner, and appoint a replacement to the board so that the board can do its job?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I know the minister would like to speak to this.

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** The member should know—and I'm surprised that she doesn't, because there's ample precedent—Norm Gardner has been appointed by an order in council. His order in council goes until the end of December of this year. If the police services board or OCCPS had fired him, there would have been a vacancy. OCCPS has decided that his suspension without pay shall go until the end of his term. As a result, we have no ability from a legal point of view to replace him, and that is why we have that problem.

**Ms Churley:** That is a cop-out, so to speak. I say to the Premier, you need to show leadership here, not stand on the sidelines. Revoke the appointment. If you have to bring in special legislation, bring in special legislation. We have a big problem here. They're depending on you, Premier, to show some leadership, and I hope you will do that. It can be done.

I want to raise another very serious concern with you. Many are saying that the police services board act gives the chief too much power. Many people believe that the current Toronto chief is preventing the board from doing its job. Your Solicitor General has refused to even look at the act. This is too serious a problem for the people of Toronto and the police force itself to stand around and wash your hands. Premier, will you change the law—open up the act and change it—to increase the police services board's ability to provide effective civilian oversight? We need you to do this. Will you do it?

**Hon Mr Kwinter:** The police services board act is adequate to do the job that it is required to do. What they're saying is that OCCPS should have greater representation because they have to deal with discipline of police. It's not the police services board. The police services board's responsibility is to enforce the act. You should know that a previous government tried to and actually did remove a member of the police services board before their term expired. They were taken to court and they lost. So we were able to take a look at a precedent and say, "Why would we do something when there's ample precedent that says we don't have the legal right to do that?" That is where we are at the present time.

1440

## TAXATION

**Mr Robert W. Runciman (Leeds-Grenville):** My question is to the Premier. We're on the cusp of the May 24 weekend, and we get news that you're considering hiking the tax on the nectar of the gods for working people: beer. Ontario already has the highest beer taxes in the world. A survey done a few years ago showed that the salary of the average beer drinker is around \$34,000 a year. I have to ask you, why would you consider hiking taxes on the average working man and woman of this province? Why would you even give any consideration to doing this?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** The Minister of Finance would like to address this.

**Hon Greg Sorbara (Minister of Finance):** I think Ontario breweries are some of the best in the world and we're very proud of the work they do. I'd also say to my friend from Leeds-Grenville, let's not categorize people who drink wine or beer or vodka. You and I might want to go out after the budget and enjoy a beer together. Whether or not there will be an additional tax on that, you'll just have to wait until the budget is presented, and then you'll know.

**Mr Runciman:** This is a suggestion of an attack on average Joe Canadian. New York State's taxes are 16% on beer; Quebec is 36%, roughly. We know what happened with respect to the discrepancies in pricing of cigarettes in Ontario and New York state: the increase in smuggling, the incentive to organized crime with respect to cigarettes. The other consideration here is the hospitality sector. Thirty per cent of beer sales in the province go through the hospitality sector, which is already reeling from SARS and 9/11. This could be a final blow to many small businesses in the hospitality sector.

So I ask the minister, will you assure average Joe Canadian, the police and the hospitality sector that you will not press ahead with an increase in beer taxes?

**Hon Mr Sorbara:** I understand my friend from Leeds-Grenville was going to perhaps audition for the next series of "I am Canadian" commercials, but I didn't think he would do it in this House. If he does it, I don't think he's going to get the part. Let me say to my friend that it doesn't further this process at all to get involved in a little bit of scaremongering, even in this jocular way. He knows quite well that neither I, the Premier nor any member on this side is going to add to the marvellous speculation about what might or might not be in the budget.

I'll just take the opportunity to say, however, sir, that our objective is to bring in a budget that will start us down the road to better financial health in this province and the ability to deliver a much higher quality of public services. I know he'll want to be here on May 18.

## CONSUMER PROTECTION

**Mr Kevin Daniel Flynn (Oakville):** I've got a question today for the Minister of Consumer and Business Services that may be of interest to a lot of the young people who are here with us today. I know that you and your ministry have done a lot of good work educating seniors, who are often the victims of frauds and scams, to be smart consumers. I have constituents who are telling me that young people are also quite vulnerable to frauds and scams. Can you tell me what your ministry is doing to protect Ontario's youth in the consumer marketplace?

**Hon Jim Watson (Minister of Consumer and Business Services):** The member is quite right. We're proud of the work we've done with seniors to help protect members of the community from scam artists. The two groups that are the most vulnerable are our senior citizens and young people. In fact, there was a study that was put out by a group called Youthography, a youth marketing research firm, that showed that teens between the ages of 15 and 19 have combined disposable income of \$95 million to \$103 million monthly. That's \$1.2 billion each year, and that doesn't include the amount of influence teens have at home.

That's why I was so pleased two days ago to go with the honourable member from Don Valley West, Kathleen Wynne, to Marc Garneau Collegiate to introduce a new educational program that has been sent out to 1,700 schools across the province to teach consumerism to young people in this province.

**Mr Flynn:** Can the minister also tell the House how other parties assisted in the development of this new initiative?

**Hon Mr Watson:** The McGuinty government is interested in working with various stakeholders, in co-operating with different groups. I'm pleased that we work with the Ministry of Education. We established a committee that was made up of educational professionals, teachers, school administrators and people from my ministry to put together the package of information. We also work with the private sector, the Direct Selling Education Foundation and the Interac Association, two non-profit groups that were there at the table with financial resources so that this package on CD-ROM could go to schools throughout Ontario.

## ROYAL BOTANICAL GARDENS

**Mr Cameron Jackson (Burlington):** In the absence of the Minister of Tourism or the Minister of Culture, I would be pleased if the Premier would respond to my question. You would be aware that in the last week and a half you've been dispatching your ministers down the QEW highway to the Hamilton East by-election at an alarming rate. Earlier this week we learned that the Royal Botanical Gardens may be forced to close its doors, with a projected deficit of \$1.7 million.

We on this side of the House indicated that we needed a billion dollars in SARS relief money to help our

tourism and our health infrastructure in this province. You seem to feel you are satisfied and that only \$300 million would be sufficient. We need someone who will speak up for Ontario in Ottawa to get those funds. We do not get a single penny from the federal government to assist us with this tourism icon. Premier, will you help us in the Hamilton-Halton area to save the RBG and find the necessary funds for this tourism icon?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** Let me say that we are very much supportive of finding a way to assist the Royal Botanical Gardens, which is a veritable institution in the Hamilton area. But I want to make it clear that traditionally there have been four partners, to my understanding, when it comes to helping with funding here: the city of Hamilton, the city of Burlington, Halton region and the Ontario government. My friend is suggesting that we invite the federal government to participate in a still broader partnership. I have no objections to doing that. But what I want to make clear to the people of Hamilton is that we are going to work as hard as we can to ensure that the Royal Botanical Gardens is around for a long, long time.

**Mr Jackson:** Premier, you would be aware, of course, that our government transferred over \$21 million to this important cultural icon over the last eight years. We transferred another \$9 million in SuperBuild funding. Halton region has increased its funding. Hamilton council, of which NDP candidate Andrea Howath is a member, has actually voted to reduce its funding.

Clearly, if the RBG was somewhere in Montreal, it would be receiving all sorts of heritage and tourism funding from the federal government. That is a fact of life. I'm asking you to begin to take a tougher stand with the federal government. As a former tourism minister, I can tell you that there is disproportionate support that we are getting from the federal government. Premier, are you going to make the same sort of commitment to save the RBG that you are currently making to save Dominic Agostino's seat in Hamilton East?

**Hon Mr McGuinty:** Unlike my friend, I want to treat this matter with the seriousness it actually deserves. First of all, let me say that I just reject that old-style political approach, which is that you exploit regional differences, and you might pit Quebec against Ontario, or you might pit northern Ontario against southern Ontario or Ottawa against Toronto. I think the people have had enough of that, and I think what they are looking for from leadership is ways to bring people together and emphasize what it is that we have in common.

**1450**

Back to the real issue here, and that is the Royal Botanical Gardens. I understand my friend's concerns. I've indicated in my earlier response that we intend to find a way to be supportive of the gardens, and again, if we can invite the federal government to participate so we have a still larger partnership of partners committed to the RBG, then I'm quite prepared to do that.

## VIOLENT CRIME

**Mr Mario Sergio (York West):** My question is for the Minister of Community Safety and Correctional Services. Minister, although the crime rate in Toronto has gone down, it is stated that since 1999 the number of violent crimes has risen by some 6%. There has been a drastic increase in the use of guns in these related crimes; indeed, 12 of the 19 reported homicides so far this year have involved the use of firearms. The increase of weapons is an issue that not only significantly undermines the peace and safety of my constituents, but it also affects their very livelihoods. The residents in my community are crying out for the need to get guns off the streets and for better community policing. What is being done to reassure my residents that they can walk the streets at night without their lives being threatened?

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member for York West for his question. I have a particular interest not only in my capacity as the minister, but his riding abuts mine and we have a similar problem.

I want you to know that the duty of a government really is to make sure that its citizens are safe and secure. I am quite disturbed by the fact that, notwithstanding that the crime rate is going down, the incidence of violence is going up. That is something that is particularly abhorrent because it has to do with guns. More than 50% of the homicides are gun-related. This is something the police forces are looking at.

I'm happy to say—and I'm sure members may know this—that Mayor Miller has set up an advisory panel for community safety. He has asked the Chief Justice of Ontario, the Honourable Roy McMurtry, to chair it. The Attorney General and I attended the first meeting, and in subsequent meetings representatives of our ministries will be there. It's a proactive committee that incorporates not only our two ministries and the Chief Justice but leading citizens who are concerned about this, and we are—

**The Speaker (Hon Alvin Curling):** Thank you. Supplementary.

**Mr Sergio:** Mr Speaker, with your indulgence, my supplementary question is for the Attorney General. Minister, in my riding of York West Julia Farquharson's son was brutally shot to death on Duncanwoods Drive. In recent years there have been reports of over 12,000 crimes, 3,000 of those very violent; there were five attempted murders and a homicide. Minister, what hope can we give those victims who have suffered such tragic losses to ensure that criminals will be vigorously prosecuted?

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I thank the member for York West for the question. We're doing a couple of things. First, the guns and gangs task force is bringing together specialized crowns to assist in the investigation from day one. So 24 hours a day, seven days a week, this

investigation team has an expert crown counsel there. We feel that's going to make a difference in terms of our ability to get more organized on organized crime. We also feel it's going to make a difference in terms of our capacity to bring forth even stronger prosecution.

Another thing—and I'm going to run out of time here—is with respect to sentencing packages. For the first time, we are bringing forth a sentencing package that shows the harm that's done, generally speaking, across the city of Toronto, and we can use this package in every region in which it's necessary. We feel it's going to put evidence before the court that is going to help us fight for stronger sentences, send deterrence to the street and send a message that there is going to be zero tolerance for gun violence. We think the province has a role here. We're going to play a leadership role and, as a result, make a difference.

## OCCUPATIONAL DISEASE

**Mr Peter Kormos (Niagara Centre):** To the Minister of Labour: Every year in Ontario, 6,000 workers die as a result of occupational disease. In 1998, in an effort to reduce the number of those deaths, the Ontario Federation of Labour began their grassroots campaign to raise awareness about occupational disease and, over a series of novel twists and turns, that campaign led to the release of a WSIB discussion paper that's going to be going out for consultation in June of this year. But your ministry and the WSIB have shut out representatives of both labour and injured workers from the consultation panel.

Minister, please do the right thing. Immediately appoint representatives of labour and injured workers to the occupational diseases consultation panel. Will you do that?

**Hon Christopher Bentley (Minister of Labour):** First, I'd like to say directly to the sufferers of occupational disease, to the families, to the victims, that this is a terrible scourge and our greatest sympathy is to them. I make the commitment to them that I have made to people across the province as I've travelled from Thunder Bay, Ottawa, Windsor, and that is to do what hasn't been done before: to make sure that sufferers of occupational disease and all injured workers are treated with respect; to make sure we have a system that treats everyone with dignity and respect.

With respect to the occupational disease advisory panel, for two years and more it has collected very important information. There was a commitment made to have the report go across the province and gather opinions on it. Unfortunately, there was no—I'll await the supplementary.

**Mr Kormos:** Minister, up here in the gallery there are two women—stand up, please—Barb Millet and Jean Simpson. Jean's the widow of Bud Simpson, a victim of occupational disease in Sarnia's Chemical Valley. Barb is his daughter. You see, Jean and Barb are both members—victims—of Chemical Valley.

Jean and Barb and tens of thousands of surviving loved ones of workers killed by occupational disease across this province are outraged; they're indignant. They're repulsed that your ministry and the WSIB refuse to let their voices and the voices of a husband and dad now dead be heard by not allowing their representatives to have standing, to sit on this panel.

It's a simple request, sir. We know you feel badly about their loss, but explain to these two women why you're shutting them out of your occupational disease consultation panel.

**Hon Mr Bentley:** The premise of the question is not correct, as the member should know. The panel is going across the province and will be listening to injured workers, will be listening to their families and will be listening to all. It's very important that we get that information as quickly as possible to make progress on this important issue.

Let me tell you, we will not do with this issue what the NDP did during its five years, which was absolutely nothing. When the NDP had a chance to make a system that was just for injured workers and occupational disease sufferers, what did they do? They stuck their hands in the pockets of injured workers and reduced inflation protection for them.

We will be listening to all workers about this issue. I have made a commitment to make a fair and just system. The sooner we get this information the better, and I look forward to the report. They'll consult in June and submissions are until the end of the summer, and I look forward to it so we can make the fair—

**The Speaker (Hon Alvin Curling):** Thank you. New question?

#### WASTE MANAGEMENT

**Mr Ted Chudleigh (Halton):** My question is for the Minister of the Environment. Prior to October 2, 2003, this government had a policy in place that would prevent a community in Ontario from shipping its garbage to another community without the specific approval of that host community. Minister, do you have the same policy in place for your government?

**Hon Leona Dombrowsky (Minister of the Environment):** The Ministry of the Environment, and this government, are committed to assisting municipalities by providing them with the tools that they need to manage their own municipal solid-waste issues. When municipalities bring the Ministry of the Environment a plan, the ministry reviews it and provides them with a certificate of approval. The certificate of approval will prescribe how that municipality will manage its waste.

**1500**

**Mr Chudleigh:** As you're probably aware, there have been significant, successful efforts on behalf of Halton region to reduce, reuse and recycle its garbage and therefore reduce the pressure it has on its landfill sites. We're very proud of the success we've had in Halton. We don't want to see our precious landfill capacity used

up by communities that have failed to take the proper steps to secure landfill capacity for the future. Those communities are well known. We know there's going to be a problem down the road. When will you have a policy that will protect communities that are forward looking, that have taken the steps to ensure that they have landfill capacity both today and in the future? When will you have a policy to protect those people?

**Hon Mrs Dombrowsky:** The policy of this government is that we believe the best entity group to manage municipal solid waste is the municipalities. I actually met with Joyce Savoline, who is the mayor of Halton. I had an opportunity to hear from her first-hand about the very good work that they have done in managing their municipal solid-waste issues. I think they're a best-practice community for other communities in Ontario. I'm very encouraged to hear from her that she also intends to work with this government to assist us in meeting our 60% diversion initiative.

That's what we're hearing from municipalities in the province. They want the tools that will enable them to manage their municipal solid waste. There has never been any commitment on the part of this government to take over that responsibility, nor has it ever been a role that your government had either.

#### CANADA-ONTARIO MUNICIPAL RURAL INFRASTRUCTURE FUND

**Mr Bill Mauro (Thunder Bay-Atikokan):** My question is for the Minister of Public Infrastructure Renewal. Today's announcement concerning new investments in municipal infrastructure was very exciting news, not just for my riding of Thunder Bay-Atikokan but for all of Ontario's rural and northern communities under 250,000 population. The Canada-Ontario municipal rural investment fund is a very welcome program. I'm very anxious to learn where the dollars from this program will be directed in our communities.

**Hon David Caplan (Minister of Public Infrastructure Renewal):** It is in fact very good news for Ontarians who live in communities of 250,000 or less. I, along with my colleagues in cabinet, have taken the time to meet and to listen to municipal leaders. They told us what their highest priorities were: clean drinking water, waste water systems, municipal roads and municipal bridges.

I'm pleased to report to the member from Thunder Bay-Atikokan, as I am to all members in the House, that Dalton McGuinty and our government, along with our federal partners, have responded. We have designed a program and entered into an agreement with our federal partners to rebuild Ontario to meet the priorities that municipal leaders have identified for us.

Unfortunately, the previous government and the government previous to that left us with an enormous infrastructure deficit. So we have not turned our backs on rural communities. In fact, the program that we've announced today demonstrates our commitment. It's a very exciting day for Ontario.

**Mr Mauro:** This announcement involves all three levels of government. How is this going to work? Will all three levels of government be working on the same page? How is each involved in the overall program?

**Hon Mr Caplan:** This is a historic agreement. What normally happens is that the province and the federal government negotiate what the criteria are, what the priorities are. What we did at the very outset was include the Association of Municipalities of Ontario. We had them help to design the program. They were at the table negotiating the terms of the agreement. They will design the application fund. In fact, we are going to provide, through the fund, 1% for project development funding through AMO. Evidence of the co-operation, of a better relationship, is the result: today's announcement.

This is only one sample of some of the great work that we've done. In recent months, we've had several joint announcements with both the federal and municipal governments. I would refer to 2,400 units of affordable housing; \$1.1 billion in funding for the TTC. There is much more to come.

#### HOSPITAL FUNDING

**Mr Frank Klees (Oak Ridges):** My question is to the Minister of Health. It relates to what appears to be the minister's provincial queue-jumping policy with regards to funding. What I'm referring to, as the minister will be aware, is that the previous government committed some \$600,000, which flowed, by the way, to St Peter's Hospital in Hamilton for a new 90-bed facility for disabled young people, and an additional \$600,000 for the redevelopment of a 50-bed wing. The minister will also know that in total, \$4 million was committed for the planning stage of that facility. So far, the people at St Peter's are waiting for the additional funding. They're not hearing from your bureaucrats. There's no response as to where the balance of the funds are coming from. I'd like to ask why you could find time to make a \$16-million announcement in this swing seat when you're apparently giving instructions that politics is more important than following through on an existing commitment to the people at St Peter's Hospital. Could you comment on that for us?

**Hon George Smitherman (Minister of Health and Long-Term Care):** The member's stunningly ridiculous assertion aside, I'm very pleased to take the issue under advisement and look into it. With respect to the announcement on Hamilton Mountain I made the other day with respect to a \$16-million investment toward a capital project that has been pending since 1999 to improve services for people in our province with very serious mental health challenges, I really think he ought to question the political motive that is involved in his question.

**Mr Klees:** First, I will gladly accept the minister's undertaking to look into this matter, because all of the paperwork is there. It has been there for months. There has been no response. While this other project may well

be an appropriate project, and appropriate that you would announce it, what is incredibly frustrating for the people at St Peter's is that all the work has been there, the approvals are there and you, sir, have failed to respond. If you didn't give instructions to your bureaucrats that politics is more important than following through on this commitment, I would ask that you stand in your place now and give us the commitment that without further ado this money will flow to St Peter's Hospital. Will you do that?

**Hon Mr Smitherman:** The member on one hand accuses me of having manipulated a file and caused queue-jumping, and on the other hand, on an issue that I've indicated I'm not fully aware of, asks that I stand in my place and make a funding commitment. That's not the way I operate. Furthermore, on the point, two days ago in Hamilton I had a face-to-face discussion with the CEO of St Peter's. He didn't raise the issue with me. He has my personal e-mail address, which I well know because he sends me e-mails from time to time. So perhaps it's your source at St Peter's who is playing a bit of politics with this issue. It certainly isn't this Minister of Health and this government.

#### SCHOOL CLOSINGS

**Mr Michael Gravelle (Thunder Bay-Superior North):** My question is for the Minister of Education. Earlier this week the Lakehead District School Board received a consultant's report that made specific recommendations related to long-term accommodation needs in our public schools in and around Thunder Bay. The report called for the closure of many schools over the next few years as a result of our declining population in Thunder Bay and the dramatically reduced need for student spaces in our system. Although I believe that most people in our community recognize the need for adjustments based on that reality, the report still came as quite a shock to many of us. Minister, have you had a chance to thoroughly review the report, and if so, can you tell us what your reaction is to the report?

**Hon Gerard Kennedy (Minister of Education):** I know that both the member and his accompanying seatmate for Thunder Bay are, like all of his community, concerned about the report that has come forward. What I can say is that the report is completely based on the old rules. It is based on rules that, for example, don't have a special regard for the academic well-being of students as the first and foremost placement, that are based on the square footage and that won't provide new accommodation wherever it's required in an area unless something is closed down somewhere else. So I would say it's important that people understand that this report does not take into account the directions of this government. It is based on old guidelines. It doesn't take into account the kind of future that we hope to build for children. I would certainly want the people of Thunder Bay to know this is a certain kind of future, but much of this is probably going to be avoided, in the sense that there are new

guidelines and a new outlook coming in terms of how we want to regard schools in the future.

**1510**

**Mr Gravelle:** I know that all of us in the community want to understand better how the process will unfold. Certainly there seems to be general agreement that in order for us to provide an improved program delivery to all our students, some schools may have to be closed and some new ones may have to be built. I'd like to get your thoughts on that particular statement.

More specifically, what I would ask you is for your advice. What would be your advice to the Lakehead board and the parents and students who need to know how or how quickly this process will unfold?

**Hon Mr Kennedy:** I thank again the member for his responsible question, in terms of looking at the future. It is very important that communities, especially those that have suffered some population reduction, have an idea. Will those facilities be there for them in the future and how will they work? Our policy was to seek a one-year moratorium so boards could have the opportunity to look at their needs for the next number of years.

This report may contain information that the board can use, but it is based on a different premise than the one that we're bringing to bear. There will be new guidelines. There will be lower class sizes, for example, which this report takes note of, but does not incorporate into its analysis. There will be an effort to keep 16- and 17-year-olds in school, and to actually create a different kind of role for public education there. All of that will have an impact on facilities.

I would say that the board should look forward to the announcements that come with, and following, the budget, and then use this information not as the absolute destination, but rather to recalibrate it based on how we're going to make sure that those kids get the best education now and into the future.

#### SAFE DRINKING WATER LEGISLATION

**Ms Shelley Martel (Nickel Belt):** I have a question for the Minister of the Environment. You've said that regulation 170 is flawed and under review. So one would have hoped that your ministry staff would have contracted trailer park owners, rural communities, faith communities and homeowners who are implicated by the regulation to advise that the July 1 deadline is off and implementation of the regulation on hold until your government finally decides what it's going to do.

But last week, your communications adviser told the Sudbury Star, "Although it is 'fair to say' recommendations will be made to amend the regulation before the deadline, homeowners should still comply."

How can you possibly expect people to comply with a regulation that's under review? How can you possibly force people to spend tens of thousands of dollars on new systems that may not be required?

**Hon Leona Dombrowsky (Minister of the Environment):** This government places safe water as a priority

for all of the people of Ontario. We are very aware of all the problems that are connected to regulation 170. I expect, within the next week or so, to be able to make an announcement that will address, I believe, the issues that have been raised by the honourable member.

**Ms Martel:** If I might, you need to make a statement now, because this is a really serious issue in northern and rural Ontario. I have an owner of a small trailer park who has already started eviction processes because she can't afford to pay for the upgrades. I have 14 owners in a co-op in Skead who have come to me to say they can't afford the cost of a new drilled well in order to comply.

You've said the regulation is flawed, that it's under review, and your staff have said that there will probably be changes. It's unfair to tell people to still comply under these circumstances.

Will you stand in your place today and announce that there is a moratorium on the deadline, a moratorium on any further implementation, until you can stand and tell people exactly what the contents of the new regulation are and what the requirements will be?

**Hon Mrs Dombrowsky:** This government takes the responsibility of implementing policies to protect source water very seriously. We are moving as quickly as we can, but we need to make sure that when we do go forward, we get it right. I think the problem that we have seen with regulation 170 is that the previous government did not take the time to consider the impacts that the regulation would have across Ontario.

We are moving as expeditiously as we can. I've indicated it will be a matter of days before an announcement will be made, but we want to ensure, on a go-forward basis, that we have a very solid plan that will assist the people of the province of Ontario, and that they can access clean, safe drinking water.

#### REPORT ON BOXING

**Mr Robert W. Runciman (Leeds-Grenville):** I'm afraid I'm going to have to interrupt the Minister of Consumer and Business Services. Believe it or not, I have a question for you, Minister.

**Mr Ernie Eves (Leader of the Opposition):** Is this about beer, Bob?

**Mr Runciman:** This has nothing to do with beer, but this is an issue I've raised with the minister and with two of his predecessors as well. It has to do with a report that was completed a number of years ago on the status of professional boxing in Ontario. It also dealt with improving the health of amateur boxing in Ontario to ensure we could put very qualified and capable individuals into the Olympics in the future. That report, for reasons unknown to me, has never been released.

A number of the recommendations deal with tax matters. With the budget on the horizon, Minister, could you commit to releasing that report as soon as possible so we could have public input and reaction?

**Hon Jim Watson (Minister of Consumer and Business Services):** I do appreciate the honourable member's

interest in the issue. I have asked my ministry officials for a copy of the report and expect I'll get it probably Monday or Tuesday, and will be pleased to send it to the member.

**Mr Runciman:** I've got it in my hand; you don't have to send it.

**Mr Eves:** Why don't you give it to him, then?

**Mr Runciman:** I'll send it over to him; that's not a bad idea. No, I'll get a copy for him.

**Hon George Smitherman (Minister of Health and Long-Term Care):** Broken promise. Another broken promise.

**Mr Runciman:** It's a delayed promise.

There were two outstanding Ontarians involved in this review. Jim Hunt, a very respected sports author, columnist and commentator, and Ralph Lean, whom many of us in this chamber know, spent months on this and interviewed over 45 witnesses who contributed to this.

I'm asking the minister, if he's not prepared to release this publicly, does he have any difficulty with the opposition releasing it so that at least we can have some public input, some public reaction, prior to the Minister of Finance tabling his budget on May 18? Is there anything wrong with that?

**Hon Mr Watson:** It's a little ironic that the honourable member commissioned the report and asked two previous Conservative ministers to release it and they wouldn't release it. They didn't act on it. I was quite prepared. I don't consider the document a secret document. I think it's quite relevant that anyone who wants to look at it can have access to it. The taxpayers paid for the report. I appreciate the honourable member's interest in the issue, and I'm glad that the McGuinty government and a Liberal Minister of Consumer and Business Services are acting on a request from a Conservative member of Parliament.

#### TOBACCO CONTROL

**Mr Jeff Leal (Peterborough):** I have a question to the Minister of Health and Long-Term Care. On April 8, you answered a question in the House about your views on senior executives from the cigarette companies attending the 2004 tobacco control conference. You stated that you sent a letter to the conference organizing committee encouraging them "to deregister tobacco industry representatives and I would ask that you fill the same spot with youth who are committed to the fight against smoking."

The conference took place yesterday, and some tobacco companies are saying that their exclusion was not fair. Minister, how do you respond to the charges that this publicly funded conference was not balanced?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I found it rather interesting, when I was presented with the fact that the previous government had dictated that, in exchange for their funding for the Ontario tobacco control conference, the place where the province-wide strategy to combat tobacco in our society

was to be developed, big tobacco had to have representation there. That struck me as a little bit odd, so I took the action of sending a letter to the conference organizers and suggesting not only that they deregister big tobacco but make the same number of spots available to young people in this province, who I believe need to be at the heart of the strategy and the fight to deal with tobacco cessation in our province. I was there yesterday and very pleased to see there was a stronger representation among young people and one particularly strong group from Cardinal Carter school in Aurora, who impressed me with their intensity for this battle, which is essential to the quality of health in Ontario.

1520

**Mr Leal:** We've been aware of the problems with tobacco for a long time in this province and in this country. Tobacco packages have the strongest labelling, most tobacco ads are banned, and strict age limits for the purchase of tobacco are in place. Yet, young people are still getting addicted to the substance. Some feel there's no hope but I feel that there is hope. I want to do my share. On behalf of all MPPs in this House, what can we do to help the cause?

**Hon Mr Smitherman:** The message that I attempted to send on behalf of the government yesterday is that 2004 is the time when the government of Ontario rejoins in a meaningful way the battle to help people get off cigarettes, to prevent people from smoking in the first place. I've had the opportunity to applaud the work of a previous health minister, Ruth Grier. When she was the Minister of Health in this province, there was no question about where the province of Ontario stood.

What can members do? We've got a lot of work to do on this file. The strategy that we'll be employing will require assistance in a variety of ways. I think the single largest thing we can do to win this battle is to reach out and find those opportunities to engage youth, not just to speak to them but to empower them, to give them the tools and resources to make sure that their voice is first and foremost in this struggle. After all, this is a struggle about their lives. Of all persons who smoke in this province, 50% are likely to die from a tobacco-related illness.

#### ROAD SAFETY

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Minister of Transportation. Happy birthday, by the way. This week you introduced the first reading of Bill 73. The act refers to specific weights, heights and ages of children while in transit. Obviously it will take considerable resources from the policing community to enforce your legislation.

Can you inform the House as to what consultation took place between your office and the police services of Ontario. In particular, can you name the police agencies you consulted with to draft this legislation.

**Hon Harinder S. Takhar (Minister of Transportation):** First, I need to correct that it's not my birthday today.

I'm really delighted to answer this question. The legislation that I introduced is about saving lives. It's based on solid research that the leading cause of death in children between the ages of one and nine is accidents.

**Mr Dunlop:** Did you talk to the police?

**Hon Mr Takhar:** Yes, I'm going to get there. As a result, we have introduced legislation that makes a lot of sense. It will save lives. I have talked to the police forces and they're very supportive of this legislation.

**Mr Dunlop:** I'd like to know what police forces you actually talked to. Bill 73 calls on the owners of cars to be fined as well as the drivers involved in infractions against school buses while the lights are flashing. I'd like a straight answer on this particular question. Will you be using photo radar to enforce your legislation in school zones?

**Hon Mr Takhar:** Photo radar is not in my legislation.

## PETITIONS

### TEACHER'S STATUS

**Mr Joseph N. Tascona (Barrie-Simcoe-Brampton):** I have a petition addressed to the Legislative Assembly of Ontario which reads as follows:

"Whereas the Ontario College of Teachers issued—

**The Speaker (Hon Alvin Curling):** Order. While members are leaving the assembly, could I ask them to be a bit quieter?

**Mr Tascona:** "Whereas the Ontario College of Teachers issued an interim certificate of qualification in 1999, valid for six years, to Ms Gabriella Bator, after she supplied all of the required documentation, including a letter of good standing from the Minister of Education in Hungary, her country of origin; and

"Whereas Ms Bator exceeds the requirements outlined by the Simcoe Muskoka District Catholic School Board and the Ontario Ministry of Education; and

"Whereas Ms Bator has proven to be an exceptional teacher, appreciated and respected by her colleagues, administration, parents, community and students; and

"Whereas Ms Bator has been removed from her grade 1 teaching position at Pope John Paul II elementary school in Barrie, Ontario, by the Ontario College of Teachers due to insufficient time to get additional documentation from Hungary required to renew her teaching certificate in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario and the Minister of Education to intervene immediately on behalf of Ms Bator, reversing the decision of the Ontario College of Teachers, thereby allowing her to complete the academic year as a grade 1 teacher to the end of June 2004."

I support the petition and affix my signature.

## PENSION PLANS

**Mr Peter Kormos (Niagara Centre):** I have a petition to the Legislative Assembly of Ontario:

"Whereas Stelpipe Ltd and Welland Pipe Ltd are currently operating under the protection of the Companies' Creditors Arrangement Act (CCAA), as part of the restructuring process being undertaken by Stelco Inc; and

"Whereas there is a significant unfunded liability in the Stelpipe and Welland Pipe pension plans for hourly employees; and

"Whereas there will be a significant negative impact on the pensions of both active employees and retirees in the event of a windup of these pension plans; and

"Whereas the pension benefits guarantee fund (PBGF) does not protect the entire amount of accrued pension benefits; and

"Whereas the PBGF may not have sufficient assets to provide such protection;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) to amend the provisions of the PBGF in order that it provides complete coverage and protection for the accrued pension benefits of all pension plan members;

"(2) to amend the financing provisions for the PBGF in order to ensure that sufficient funds are available to provide for the complete protection of all accrued pension benefits;

"(3) to take interim action as required in order to provide immediate protection of the accrued pension benefits of both active employees and retirees of Stelpipe and Welland Pipe."

It is signed by thousands, and I affix my signature as well. Jen the page will be delivering it to the Clerk.

## IMMIGRANTS' SKILLS

**Mr Bob Delaney (Mississauga West):** In regard to the motion this morning in private members' public business, I have a petition to the Legislative Assembly from some members of the Peel Multicultural Council.

"To the Legislative Assembly of Ontario:

"Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

"Whereas newcomers to Canada who choose to settle in Ontario find frequent and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

"Whereas Ontario, its businesses, its people and its institutions badly need the professional, managerial and technical skills that many newcomers to Canada have and want to use;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Training, Colleges and Universities and the other institutions and agencies of and within the government of Ontario, undertake specific and proactive measures to work with the bodies regulating access to Ontario's professions, trades and other occupations in order that newcomers to Canada gain fair, timely and cost-effective access to certification and other measures that facilitate the entry or re-entry of skilled workers and professionals trained outside Canada into the Canadian workforce."

I certainly agree with this petition. I am going to sign it, and Joseph will bring it.

### ONTARIO BUDGET

**Mr John R. Baird (Nepean-Carleton):** I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas the parliamentary tradition in Ontario of presenting annual budgets in the House of the Legislative Assembly has existed for decades; and

"Whereas the previous Speaker of the Legislative Assembly criticized the actions of the Conservative Party and is now running as a candidate for the federal Liberal Party; and

"Whereas the budget should be beyond reproach and should not be presented by a member of executive council who has any perceived or real conflict;

"We, the undersigned, petition the Legislative Assembly of Ontario to ensure the budget is not read by a finance minister that is under investigation by Ontario Securities Commission, the Canada Customs and Revenue Agency, the Royal Canadian Mounted Police or any other law enforcement agency."

I have affixed my signature because I'm in complete agreement with this petition.

### PHYSIOTHERAPY SERVICES

**Mr Tony Ruprecht (Davenport):** I have a very short petition, which is signed by over 1,000 residents of Davenport. It reads as follows:

"Whereas seniors and other qualified patients require the continued provision of physiotherapy services through schedule 5 clinics to promote recovery from medical conditions and continued mobility and good health;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The patients of schedule 5 physiotherapy clinics request the continued support of the Parliament of Ontario for provision of OHIP-covered physiotherapy treatment to qualified seniors and others in need of these vital health care procedures."

Since I agree with it, I sign my name to it.

1530

### EDUCATION TAX CREDIT

**Ms Laurie Scott (Haliburton-Victoria-Brock):** To the Legislative Assembly of Ontario:

"Whereas the equity in education tax credit seeks to restore equity and parental choice to Ontario's education system;

"Whereas the equity in education tax credit allows those from lower-income homes to have the same opportunities as other students;

"Whereas families who choose to send their children to independent schools have to pay twice for their children's education;

"Whereas the majority of families who benefit from the equity in education tax credit come from lower- or middle-class families;

"Whereas the United Nations has called on the government of Ontario to remedy the inequity in the education system;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To allow the equity in education tax credit to continue to be the law of the land in Ontario, and allow lower- and middle-income parents the privilege to send their children to independent schools if they so choose."

This is signed by many people in my riding.

### MINIMUM WAGE

**Mr Rosario Marchese (Trinity-Spadina):** To the Ontario provincial Legislature:

"Because the minimum wage has been frozen at \$6.85 since 1995, despite increases to the cost of living; and

"Because a full-time worker earning the current minimum wage in a large city is almost \$5,904 below the poverty line, and to reach the poverty line would need an hourly wage of at least \$10 an hour; and

"Because the minimum wage should provide people with an adequate standard of living;

"We demand that the Ontario government immediately increase the minimum wage to at least the poverty line—that means \$10 an hour—and index it to the cost of living."

I support this petition.

### ONTARIO POWER GENERATION AND HYDRO ONE

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I have a petition to present and it's addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas lucrative contracts totalling \$5.6 million were awarded for various jobs at Hydro One and Ontario Power Generation by the previous Conservative government;

"Whereas these contracts were awarded not based on the principles of merit but on the practice of patronage;

"Whereas the amount of money paid out in these contracts to these friends of the Conservative Party was excessive and explains why Hydro One and Ontario Power Generation are in such poor fiscal shape;

"We, the undersigned, petition the Legislative Assembly to order a public inquiry into how these contracts were awarded and what measures can be taken to ensure such abuse of the public purse doesn't reoccur."

I agree with the petition and I affix my signature to it.

### TILLSONBURG DISTRICT MEMORIAL HOSPITAL

**Mr Ernie Hardeman (Oxford):** I have a petition to the Legislative Assembly of Ontario signed by in excess of 2,500 of my constituents:

"Whereas the Tillsonburg District Memorial Hospital has asked for ministerial consent to make capital changes to its facility to accommodate the placement of a satellite dialysis unit; and

"Whereas the Ministry of Health and Long-Term Care has already given approval for the unit and committed operational dollars to it; and

"Whereas the community has already raised the funds for the equipment needed;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Health and Long-Term Care give his final approval of the capital request change from the Tillsonburg District Memorial Hospital immediately, so those who are in need of these life-sustaining dialysis services can receive them locally, thereby enjoying a better quality of life without further delay."

I affix my signature to the petition as I agree with it.

### ONTARIO DRUG BENEFIT PROGRAM

**Mr Peter Kormos (Niagara Centre):** I have a petition addressed to the Legislative Assembly of Ontario sent to me by Canada's Association for the Fifty-Plus. The petition reads:

"Re: the recent announcement by the province of Ontario's Liberal government that it is considering eliminating 'rich seniors' from the Ontario drug benefit plan.

"This possible policy is part of a range of cost reductions the government is contemplating as it tries to erase an estimated \$5.6-billion deficit and balance next year's budget. But, in this case, on the backs of Ontario's seniors.

"These early cost-cutting actions are reminiscent of the previous government's policies which Dalton McGuinty was most vocal in denouncing and which led most citizens of Ontario to vote Liberal and turf out a government so insensitive to individuals. Seniors especially do not deserve to be treated so inhumanely, particularly in areas of health care. In any event, what is the definition of a rich senior?

"Clearly such action will add to the health care system costs as many seniors cut back on their prescribed

medications because they can't afford to take them. Anyway, seniors already pay the first \$100 prescriptions after the age of 65 plus up to \$6.11 per prescription. Low-income seniors pay \$2 per prescription. Most seniors after retirement are on fixed incomes. Often they are no longer covered by former employer-paid benefits such as health insurance. Unforeseen illness and inherent costs could be disastrous because retired seniors have no income options to cover health care expenses over extended periods of time.

"You'd better think about this, Mr McGuinty. The seniors who supported you so overwhelmingly in the most recent election would turn against you en masse should you implement this most insensitive and inefficient measure and curtail universal prescription payments."

This is signed by hundreds of folks down from the Niagara Centre riding. I'm giving it to Sammy the page to deliver to the Clerk, and I have affixed my signature as well.

### OPTOMETRISTS

**Mr Garfield Dunlop (Simcoe North):** "To the Legislative Assembly of Ontario:

"Whereas the last funding agreement between the Ministry of Health and Long-Term Care and the Ontario Association of Optometrists expired March 31, 2000; and

"Whereas the optometric fees for OHIP-insured services remain unchanged since 1989; and

"Whereas the lack of any fee increase for 15 years has created a crisis situation for optometrists; and

"Whereas fees for OHIP services do not provide for fair or reasonable compensation for the professional services of optometrists in that they no longer cover the costs of providing eye examinations; and

"Whereas it is in the best interests of patients and the government to have a new funding agreement for insured services that will ensure the most vulnerable members of society are able to receive the eye care they need;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Health and Long-Term Care resume negotiations immediately with the OAO and appoint a mediator to help with the negotiation process in order to ensure that the optometrists can continue to provide quality eye care services to patients in Ontario."

I'll be happy to sign the petition as well.

**The Speaker (Hon Alvin Curling):** Petitions? The member from Barrie-Simcoe-Brampton.

*Interjection.*

**The Speaker:** I recognize the member from Barrie-Simcoe-Brampton.

**Mr Tony Ruprecht (Davenport):** On a point of order, Mr Speaker: You have to excuse me for bringing this up, but I did get up the second time. You did not go in rotation, so if you could kindly recognize me, it would be great.

**The Speaker:** I recognized this member first.

## ONTARIO DRUG BENEFIT PROGRAM

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I have a petition to the Legislative Assembly of Ontario which reads as follows:

“Whereas the Liberal government has said in their election platform that they were committed to improving the Ontario drug benefit program for seniors and are now considering delisting drugs and imposing user fees on seniors;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“To halt the consideration of imposing an income test, delisting drugs for coverage under the Ontario drug benefit plan or putting in place user fees for seniors, and to maintain the present Ontario drug benefit plan for seniors to cover medications.”

I support the petition and affix my signature.

## TTC RIGHT-OF-WAY

**Mr Tony Ruprecht (Davenport):** This is a very important petition signed by many residents on St Clair Avenue. It is addressed to the Parliament of Ontario and to the Minister of the Environment against a dedicated TTC right-of-way on St Clair Avenue West.

“Whereas an environmental assessment is underway on St Clair Avenue West to study potential transit improvements, including the possibility of installing a dedicated TTC right-of-way;

“Whereas the consultation process so far has been in bad faith, top-down and rushed, which has disappointed and angered the local community almost entirely, and not been up to any acceptable public standards;

“Whereas comments by the chair and the members of the Toronto Transit Commission have made it clear that there is a predetermined outcome to the environmental assessment process, regardless of the objections of the local community;

“Whereas a dedicated right-of-way would restrict left-turn access to neighbourhood streets north and south of St Clair Avenue, and a barrier down the centre of St Clair would force the vast majority of residents to make U-turns and go further out of their way just to get home or go to work;

“Whereas a dedicated right-of-way would force significantly more traffic on to our local streets;

“Whereas safety must be a high priority for any alternative selected and, according to the ambulance and fire department staff, they don’t like to work with right-of-ways;

“Whereas a right-of-way would lead to the reduction or elimination of on-street parking on St Clair Avenue West;

“Whereas traffic bottlenecks at certain intersections and underpasses are already terrible, and certain chronically problematic intersections and underpasses could not stand to lose any one of the existing two lanes;

“Whereas the right-of-way will have substantial negative economic effects on local businesses;

“Therefore we, the undersigned, strongly urge the Minister of the Environment to order a full environmental assessment on St Clair Avenue West, one that genuinely consults and takes into consideration the views and opinions of the local community.”

Since I agree, I put my name to it.

1540

## BUSINESS OF THE HOUSE

**Hon David Caplan (Minister of Public Infrastructure Renewal):** Mr Speaker, on a point of order: Pursuant to standing order 55, I rise to give the Legislature the business of the House for next week.

On Monday, May 10, in the afternoon, Bill 18; in the evening, Bill 26.

On Tuesday, May 11, in the afternoon, Bill 25; in the evening, Bill 26.

On Wednesday, May 12, in the afternoon we have an opposition day; in the evening we have Bill 26.

On Thursday, May 13, in the afternoon, Bill 31.

## ORDERS OF THE DAY

### GOVERNMENT ADVERTISING ACT, 2003

### LOI DE 2003 SUR LA PUBLICITÉ GOUVERNEMENTALE

Resuming the debate adjourned on April 26, 2004, on the motion for second reading of Bill 25, An Act respecting government advertising / Projet de loi 25, Loi concernant la publicité gouvernementale.

**The Speaker (Hon Alvin Curling):** Further debate? The member for Niagara Centre.

**Mr Peter Kormos (Niagara Centre):** Are you sure, Speaker?

**The Speaker:** The member for Niagara Centre.

**Mr Kormos:** OK. The last time I was recognized by the Speaker, I built up a head of steam and got going and then the Speaker changed his mind. The Speaker wanted to recognize somebody else halfway through my comments as I was reading a petition. I just wanted to make sure the Speaker was sure this time. The Speaker has every right to be equivocal from time to time, I suppose—maybe not “equivocal” but simply to change his mind. There’s nothing wrong with changing your mind, is there? Liberals do it every day. I suppose one of the nice things about being a Liberal is that you don’t always have to be a Liberal.

I want you to know that I’m wearing this red badge in solidarity with our sisters and brothers in CEP Local 87, those brave workers over at the Toronto Sun. We have three of them working here with us: Sister Christina

Blizzard, Sister Antonella Artuso and Brother Alan Findlay from the Toronto Sun Queen's Park press gallery—great journalists as well as great trade unionists; people who fight for the working class; people who know that workers' interests are diametrically opposed to the interests of bosses and capital; and workers who know that a means of redressing the inherent imbalance in power between working people, working women and men, the working class and the capitalist class, is to form trade unions and fight the bosses. Our sisters and brothers at the Toronto Sun in CEP Local 87 are doing exactly that. They're fighting for a first contract. As we all know, especially since the Tory attacks on labour relations here in this province, first contracts have become harder and harder to get.

I am loath to even contemplate that the Sun would ever consider a lockout. I say this to the Toronto Sun: Let them try locking out those members of CEP Local 87. There won't be a Toronto Sun coin box anywhere near a unionized workplace that will have a lifespan of more than—

*Interjection.*

**Mr Kormos:** Far be it from me to understand what would happen to them, but I would not want to be the insurance carrier for the Toronto Sun in terms of those coin boxes near unionized workplaces, because working women and men are going to stand together in solidarity. Workers are going to stand in solidarity with CEP Local 87 members who work at the Toronto Sun.

Today it was a fight to win the right to wear these badges. Here are these Toronto Sun workers in their workplace—this is their workplace here. Do you understand what I'm saying? Right here at Queen's Park is their workplace. No boss would ever be allowed to tell a worker at any point during a contract negotiation, or once a contract has been negotiated, that they could or couldn't wear a button, a badge, identifying themselves as a union member, identifying solidarity with each other, identifying their goals in terms of what the union contract is all about. Here it is. The button reads very clearly, "Underpaid, Understaffed, Underappreciated."

I say to the workers at the Toronto Sun that we in the New Democratic Party stand with them firmly, shoulder to shoulder, arm in arm, in solidarity.

**Mr Tony Ruprecht (Davenport):** You're not the only one, Peter.

**Mr Kormos:** Mr Ruprecht says I'm not the only one. I want Mr Ruprecht to stand up after I finish my 30 minutes of comments and use part of his 20 minutes to express his unwavering support for the workers at the Toronto Sun, and for all unionized workers.

He perhaps could stand up and tell us how he has been fighting in caucus for the right of all workers to belong to trade unions, including the right of agricultural workers to belong to trade unions. Perhaps Mr Ruprecht would stand up when I'm finished and express his firm, personal commitment to anti-scab legislation here in Ontario. Perhaps Mr Ruprecht would stand up and denounce McGuinty as somebody who campaigns like a New

Democrat but governs like a Tory. Perhaps Mr Ruprecht would stand up for true Liberal principles and condemn a party that has turned its back on working women and men; condemn a party that has turned its back on the lowest paid workers in this province; condemn a party that has turned its back on the issue of workplace health and safety. Perhaps Mr Ruprecht, when I'm finished, will stand up and take his place here in this Legislature, his modest 20 minutes, and condemn his caucus and his party for not having advanced the interests of agricultural workers.

**Mr Ruprecht:** I will never interrupt you again.

**Mr Kormos:** Mr Ruprecht says he'll never interrupt me again. I suspect if that's a commitment, it's only good for today. I don't consider him bound to it, because quite frankly when he interrupts me, it's just so delicious. We have so much fun.

Don't think for a minute that Bill 25 is going to put an end to government excess. I was very fortunate, and I'm very grateful to the staff in the minister's office. I personally expressed my gratitude to Minister Phillips for the staff that came in and talked to me.

There were, as I recall it—I think I mentioned this before—seven staff in the room. I should tell you this, because I was a little embarrassed—truly, I was—because the briefing was, I think, for 11:30. I rushed in there but I was late anyway. I ran into a classroom of kids from Jordan and their teachers. I knew some of the kids, parents and teachers, some of the folks. They were standing on the main stairway, and I was later and later for the briefing. I finally got to the briefing and I realized, my goodness, I was the only one getting the briefing on that day, and there was at least half a million dollars in salaries sitting in the room waiting. I was embarrassed. I truly apologize for making at least half a million dollars in staff wait.

Two of them are political staff, though. You see, the reason political staff go to these briefings is they take notes because they monitor the bureaucratic staff. They do. They go to the briefings and sort of keep notes, because there are certain things that the bureaucratic staff are disinclined to want to answer. It's sort of like one of those Johnnie Cochran moments, where you ask a question and all of a sudden one of the political staffers will—Ms Churley knows all about this because she's seen—

**Ms Marilyn Churley (Toronto-Danforth):** What's this?

**Mr Kormos:** In the briefings. I was expressing gratitude for Mr Phillips' staff for the briefing, because it was both bureaucratic staff and political staff. There were two political staffers there. There was at least half a million dollars of staff in the room. It was a very pleasant briefing. They were smart and clever people and I enjoyed the exchange and the dialogue.

**Ms Churley:** Often more than the ministers.

**Mr Kormos:** Yes. That's why they do the briefing, not the minister. So why is it that the minister makes more money than any of them? Isn't that strange?

They're the ones who do all the work, right? You guys sitting behind the Speaker, you're the guys who do all the work.

It's sort of like the Toronto Sun. It's the journalists and the press people who do all the work, and yet it's the Godfreys who make all the money, right? They're the ones who go home with all the cheese. It just isn't fair, is it? That's why Toronto Sun workers have formed and organized themselves into a collective bargaining unit, a union. That's why they formed Local 87 of the CEP. That's why they are now on the cusp of winning their first contract, and that's why New Democrats are wearing these buttons, in solidarity with our sisters and brothers at the Toronto Sun, three of whom we work with on a daily basis here at Queen's Park.

I suggest that the Sun would be ill-advised to not negotiate a settlement with these workers. Far be it from me to pass judgment on these things, but it seems to me that the newspaper business is a little precarious in Toronto right now. You've got some stiff competition, and even though the Sun—because the Liberals here at Queen's Park refuse to enact anti-scab legislation, because at the end of the day, of course, the Liberals are in bed with the bosses; there's no question about that. Does Cortellucci ring a bell? It was funny—you know the Cortellucci donations to the Conservatives? On the one hand, they're donations and I suppose in some respects they're tax deductions or, if they're done personally, they're tax creditable, so the taxpayer subsidizes it. Nobody is talking about buying anybody; maybe renting them for a while. So we're not talking about the Cortelluccis buying the government, just renting the government. But the Liberals were up in arms. The Liberals were indignant. The Liberals were outraged at the prospect of the Cortelluccis owning or merely renting the Tories. Yet when the Liberals got into power they had no qualms whatsoever about crawling into the king-sized bed that accommodates that ménage à trois. So there you've got the Cortellucci corporation lying in this mattress of greenbacks and rolling in the dough, so to speak, with a Liberal government on one arm and a Conservative government on the other. They, quite frankly, don't care which government they happen to have at the moment. It turns into a virtual orgy of corrupt—

**Ms Churley:** Now you're being provocative.

1550

**Mr Kormos:** Well, it is. It's an orgy of potential corruption.

I just find it interesting that the same partner that was anathema in the eyes of the Liberals when it was partnered with the Tories, the Cortellucci corporations, now becomes the dance mate, is doing the shimmy like sister Kate with Dalton McGuinty and the Liberals.

**Ms Churley:** Now you're mixing your metaphors.

**Mr Kormos:** Yes, but I was reading this wonderful novel about Robert Johnson and Delta blues singers, and it brought to mind the song.

Don't think for a minute Bill 25 isn't going to accommodate the most repugnant and ham-fisted expenditure of

taxpayers' dollars by this government to advance their partisan interests. In speaking, somebody already—and thank goodness they footnoted their comments and gave me credit for the observations about the Mack truck loophole. When I worked in the copper mines up in northern BC many years ago, I worked on Mack trucks and also Electrohauls. Do you know what an Electrohaul is? It's a truck with a diesel engine that generates electricity, and there are electric motors in each wheel. Electric motors, as you well know, generate far more torque than an internal combustion motor does. So these huge Electrohauls—I'll talk to Hansard folks later about the spelling, although I suspect they can do a quick Internet search; it's exactly "haul," as in hauling something. With these huge Electrohauls, when you go underneath, for instance to service the engine and to change the oil, you don't have to put it on a hoist, because you literally walk underneath. You reach up to undo the drain plug on the oil pan on the diesel engine that runs the generator. That's the only internal combustion; it runs the generators that provide electricity to the electric motors in the four wheels. These trucks are huge. I mean, they are huge. An Electrohaul inside this chamber wouldn't occupy the whole chamber, I'm not going to pretend that, but it would dwarf the chamber. There's no two ways about it.

Let me show you the loophole in Bill 25. If you want to come with me to one of the obvious—let's take a look at section 6, standards. Subsection 6(1), standards that an item is required to meet, subparagraph 5: "It must not be a primary objective of the item to foster a positive impression."

I asked the staff who were briefing me—I said, "Well, that's interesting." It seemed you exercised some choices about the language there. Do you understand what I'm saying? You could have said it must not be "an objective" of the published material to foster a positive impression of the governing party, in which case, if any of its objectives included literally painting the lily when it comes to the Liberals—and there's a lot of paint that's going to be required at the end of the day, because that lily is pretty rusty and tarnished. It's going to require Tremclad; it's going to require that aluminium paint that you paint over rusty things.

If it's a secondary objective, quite frankly, it's entirely OK. Do you understand what I'm saying? The government is making this grand announcement: "This will end the abuse of taxpayers' dollars for the purpose of government advertising." Hooey. Bull feathers, as they say down in Niagara Centre. On the contrary, it will accommodate every single objective—you see, one of the interesting things is that the Liberals are not that different from their predecessors, the Tories. We are increasingly hard pressed to make the distinction, except, I suppose, that the Tories in many respects were far more candid about their malice toward so many sectors, so many communities out there in the broader community.

The Tories would mug the people of Ontario, would roll them, would take them down an alley, beat the crap out of them and not pretend that the victim, the people of

Ontario, should enjoy it. The Liberals will mug the people of Ontario, take them down the alley, beat the crap out of them and then sort of expect the people of Ontario to still like them. Do you understand? It's a mugging with a smile. It's a mugging with, "Here's the calling card. Let's do this again soon. Have your people call my people and we could do this again."

That single phrase "the primary objective," as compared to "an objective"—the most protective stance would be to say it must be "the sole objective." Clearly, if the standard were the sole objective, every piece of literature that was ever published, every newspaper ad, every magazine ad, every radio ad, every television ad, every glossy insert in every high-priced magazine—Architectural Digest, Time, Maclean's and Harper's and all that sort of stuff—and in the tabloids—Tab and Midnight and National Inquirer—you know the ads that government is inclined to put in those kinds of publications. If it were "the sole objective," then every ad could be designed to be government propaganda.

But what the government has done, very cleverly: it must not be "the primary objective." So if it's a clearly identifiable objective that the ad is government propaganda, but it's not the primary objective, the government is scot-free. The government has literally walked away from any indictment. The government finds itself with a "get out of jail free" card each and every time—there you go—if it's "the primary objective."

Do you know what's interesting? They also specifically talk about prohibitions against using ministers' or the Premier's visage, his—

**Mr John R. Baird (Nepean-Carleton):** Image.

**Mr Kormos:** —image. The fact is, right now, the Premier's image is not very marketable. Nobody wants the Premier's image.

**Mr Baird:** What is it like in Hamilton East?

**Mr Kormos:** That's why, in Hamilton East, people are saying, "Let's clear the shrubbery here. Let's force our way through this thicket," looking for Dalton. He's not to be found. He's a nowhere man. Dalton is off somewhere else, not by accident, not by virtue of an agenda that was somehow fixed, etched in stone weeks or months ago, but by design, regardless of how feckless it is on the part of the Liberals.

I was down there last Sunday with Andrea Horwath, and I'm going down there Saturday morning. What an incredibly impressive woman. She is one effective advocate.

1600

**Mr Baird:** Dalton McGuinty's second-worst nightmare.

**Mr Kormos:** Andrea Horwath is bright, capable and has a broad range of knowledge. It just blew me away.

*Interjection.*

**Mr Kormos:** No, she did. Because I go to knock, knock, knock on the door, "Hi, folks, I'm here with"—and people say, "I know Andrea. She's wonderful." I'm saying, "Look, friend, if you've got any more like

Andrea here in Hamilton, please tell me who they are; please, if you've got any more like Andrea."

You see, the incredibly important thing is that—I mean, I feel very blessed. All of our caucus does that Andrea is running as a New Democrat, that she is a New Democrat. But you know, she'd be a credit to this Legislature by virtue of her incredible set of skills, her commitment, her passion, her drive and her talent, regardless. That's why people of all political stripes are voting for her. It's been a long time since I've met anybody as persuasive as Andrea Horwath.

The other interesting thing is all this business about high-priced polling, and I know the government is doing it all the time. The reason I know is because people who get polled, who get telephoned, call me and tell me they got polled and what the spin was. But you don't need any polling to know that the issue is broken promises, because you don't have to ask questions. I don't know why you guys are paying money for pollsters. Just get out of your limos and drop in to the coffee shop—well, not at the coffee shop, because they're probably still mad at you out of fear of having their coffee and doughnut taxed. Right?

**Mr Baird:** That doesn't affect them because they drink lattes at Starbucks.

**Mr Kormos:** You've got to get into the roll-your-sleeves-up kinds of coffee shops. You've got to have that Buick Park Avenue, the Lincoln limousine, the Chrysler New Yorker landau double-parked and get into a real coffee shop. But again, don't let them know you're a Liberal; least of all, don't let them know you're a Liberal member of the Legislature, because those people are still reeling from the prospect of you guys taxing their coffee and doughnuts.

There are some seniors, God bless them, who go to these places where you've got the bottomless cup, where you can drink coffee all day. I can't. If I have coffee after 9 in the morning—9 in the morning is my cut-off. As a matter of fact, if I'm in Welland, I'm drinking coffee and then I get in the car at 6:30 or so, you know what the problem is. I get to Doug's Dip, right, and you talk about the prospect of an accident; well, there's almost an accident. I acknowledge that. That's when you've got the traffic jam and it really turns into knuckle-biting, white-knuckle turf after you've had four or five coffees in the morning down in Welland.

This bill isn't going to end government advertising. This bill is not going to end government abuse of taxpayers' dollars. As a matter of fact, you know the stuff that filled our blue boxes over the course of the last two years—you should know; you guys were printing it: the glossy, high-priced stuff.

Do you know what one of my biggest problems is with this? I don't think it works that well. Seriously, it didn't work for the Tories. They spent a fortune on glossy advertising and it didn't work. Why? I suspect that folks did the same thing with it as I did: They fed the blue box. As a matter of fact, I've got one of those old houses with the big window, and then the wood door, and then the

little mail slot, and inside the door is the blue box. So the postperson comes—I saw her this morning. I happened to be leaving the house because I was coming up here. I went down there this morning for a funeral. Mr Silvio Tonigussi died, not that old, either. I actually took the mail and, having the blue box there—so all this Tory stuff is going to the blue box. That's what taxpayers should be most outraged about. It's not only an abusive exploitation of hard-working taxpayers; it's a stupid expenditure of money. But this government is going to do it anyways because it has become habitual. This is like the—

**Mr Baird:** What about that broadcasting in Buffalo?

**Mr Kormos:** Yes. Governments are addicted.

**Mr Baird:** The crack cocaine of—

**Mr Kormos:** Yes. I'm getting to the crack cocaine but I wanted to build up to it. Please.

**Mr Baird:** I'm trying to help.

**Mr Kormos:** You're trying to help.

What is this bill then? If it isn't going to create a perfect—the problem is, it's not enforceable. There's nothing in the bill that says the government can't produce that crap. Nothing. It says that the auditor, or his or her designee, can say, "No, this doesn't pass muster," but it doesn't then say, "and that means the government can't publish it," nor is there any consequence.

**Mr Baird:** No fine?

**Mr Kormos:** Nor is there any consequence. It's unenforceable.

**Mr Baird:** They'll pay fines. We know that. If they break the law—

**Mr Kormos:** Please, Mr Baird, are you referring to this little bit of spin yesterday? Please don't do that to these people. Be a little more generous of spirit. Are you referring to their acknowledgement that they're going to forfeit a chunk of their cabinet minister's salary for not complying with—

**Mr Baird:** They all got \$27,000 pay increases anyway.

**Mr Kormos:** Do you know that phrase "A licence to steal"? Some people have been referring to that as a licence to lay down where nobody has ever laid before. People have been referring to that as a licence to—when you get on the mattress and pull the covers up and you're prone on your back, when you lie down. Do you know what I mean? People are saying the cabinet ministers' acknowledgement that they may have to forfeit salaries is a licence to l-i-e. It has a nice ring to it. When I thought about it—

**Interjection:** What does l-i-e spell?

**Mr Kormos:** I'm sorry. There's a heckler who now is going to be in Hansard, because I've responded to him.

**Interjection:** What does l-i-e spell?

**Mr Kormos:** By gosh, the heckler just did it again. He interrupted me. Instead of saying, "Interjection," by having responded to him, his actual words will now be in Hansard. I've known the heckler for a number of years. One thing I do know is he's a good speller.

**Interjection:** Is it "lie"? Is that what you're saying?

**Mr Kormos:** If you lie with dogs, you get fleas. The heckler has done it again. We have skated so close to the edge. We've been on our hands and knees and peered into the abyss, but we haven't fallen off. If we had, the Speaker would have been on his feet. The Speaker would have admonished me. The Speaker would have torn a strip off me. I could well have been reduced to just a shaking, quivering shell of what I was, as a result of the Speaker's glare. The fear of the Speaker's wrath is keeping me in line. I guess for some people, it's being respected; for other people, it's being feared. I'm not afraid to tell you, Speaker, that you are doing a stellar job.

New Democrats aren't eager to see the Liberals, who run all the way to their PR machine—this is fluff. I'll tell you what: If you don't think it's fluff, take it to committee and let external people audit it. Let them dissect it.

Look, I've only pointed out the one. I've pointed out the Mack truck. As a matter of fact, we've moved on to the Electrohaul. Electrohauls are bigger than Mack trucks. Electrohauls are big, big trucks. It's the Electrohaul loophole; that is, the only time the publication of an ad is offensive is if "the primary objective" is to promote the government. If it's a secondary objective, it's fine. It's not only fine, it's cool, it's OK, it's A-OK, it's kosher. If a secondary or tertiary objective is to promote the government or vilify another political party, then it passes muster.

The people who drafted this are very smart. I met them. They're smart cookies. They're grossly underpaid, but they're smart cookies. They knew exactly what they were doing. I admire that kind of shrewd approach to legislative drafting, but I deplore this government for trying to pull the wool over the eyes of the people of Ontario. I deplore this government for saying anything it had to and anything it could—and it did—to get elected, and then breaking promise after promise after promise after promise, breaking promise after promise after promise, to the point where you do that word association stuff, you know, sort of like the literary Rorschach thing, and you say: Liberal—broke a promise; broke a promise—Liberal; Dalton McGuinty—broke his promise. Who breaks promises? Dalton McGuinty.

**Mr Baird:** Liar?

**Mr Kormos:** Wait, wait. Please. Don't try to take me down with you, Baird.

**The Acting Speaker (Mr Joseph N. Tascona):** The member from Nepean-Carleton, can you just let the member speak? We'll hear him in his own words.

1610

**Mr Kormos:** I say to you, Mr Baird, you lie with dogs, you get fleas. You want to lie, you go ahead and lie. I say to Mr McGuinty, you lie with dogs, you get fleas. You want to lie? You go lie with dogs, you get fleas. Mr McGuinty lie? Yes. Dalton McGuinty lie? Yes. You lie with dogs, you get fleas.

This bill is fluff. This bill doesn't warrant any serious debate. This bill is a joke. It is an offensive joke. It's a mockery.

**The Acting Speaker:** Questions and comments?

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I can almost say I enjoyed the half hour, and the part I enjoyed most is that it's now after 4 on Thursday and, in a few more hours, we can get on to constituency business.

I do want to thank the member, though, from Niagara Centre for taking the valuable time offered by the ministry and ministerial staff for the extensive and thorough briefing. Obviously, he was paying close attention, because he's found a number of nuances that really don't exist, but he's managed to identify some single-word nuances and interpret them in a way that suits his particular needs, but not necessarily the needs of the people of Ontario.

I think, though, the briefings that occurred included, as he said, both the bureaucratic ministry staff from MBS and the political staff from the minister's office. Clearly, there was a need for a translator, and thus the minister's staff, so the member from Niagara Centre would effectively understand the intent of the bill. I'm glad to see that he spent that time. Unfortunately for the opposition, although an invitation had been extended for the official opposition to have a member or a critic at that briefing or another briefing, they didn't really find that that was going to be necessary, and thus I'm waiting on the balance of the debate. We've had some of it in second reading. We can talk again about some of the issues and repeat some of those kinds of things. It could have been cleared up at a briefing of that nature, but they were obviously extremely busy at that point in time.

There are a number of matters that have been raised, and I expect we're going to talk about them again over the coming hours and days—things like the Topical issue, the In House OPS newsletter that really is a staff document. I'm sure that we'll discuss colour schemes, and the member across from Nepean-Carleton at some point will be on his feet again wanting to deal with that matter and we'll have the opportunity to talk about that some more.

So there are a number of matters in the legislation that we look forward to continuing the debate on.

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise to say a few words on the comments from the member from Welland. I had an opportunity last night to sit on one of the talk shows with Mr Kormos, a very interesting character to debate on a talk show. I'll be speaking to Bill 25 myself in a few moments, and I look forward to it, but he brings forth some good points.

This bill really doesn't mean an awful lot at this point. It's colourful. It's a new government type of bill. You know, you think you're going to clean up some old corruption or something like that and that you're the fresh start. Unfortunately, that won't happen. I've already seen some of your documents, and the fact that you don't tender some of your programs or some of your consultants, already means you're already off on the wrong foot. But certainly, it's one of those warm and cozy bills at this point. We don't really know what it means exactly, other than, apparently, according to Mr Phillips, it's a special bill to Mr McGuinty.

I would have thought that at this time the Premier would have wanted to concentrate on more important topics, such as health care. I understand he wants to be the Premier who leads Canadians in health care, but I haven't seen him do that. He's more concentrated on—worried about—this piece of legislation right now.

There's a lot of time to chat here, but again, I appreciate the comments from Mr Kormos and look forward to further debate.

**Mr Baird:** Sister Marilyn standing up.

**Ms Churley:** Sister Marilyn standing up for her brothers and sisters at the Sun, CEP local 87. I'm proud to be wearing this button in support of them today. I notice some of the other members—John Baird, the member for Nepean-Carleton is wearing one today. But I have to get on to my comments here.

My friend from Niagara talked about some of the loopholes in this bill, and he pointed out the major, biggest loophole in this, and that is the secondary objective of this bill, which means that whatever the first objective or the primary objective is, OK, that falls under it, but then, if the secondary objective, under that—

**Mr Baird:** I think Mike Harris wrote this bill.

**Ms Churley:** You would think Mike Harris wrote this bill, said the member for Nepean-Carleton.

It can sneak in as a secondary objective. That is a major loophole in this bill, so that's why it's not worth the paper it's printed on.

I know the government is trying to keep a promise that it made so it can hold this up. The Tories used to do that all the time too, John. Oh, the greatest names for bills and "We're doing what we said," but then when you read the fine print and looked at the loopholes in it, it was another story.

There's another loophole in here that I don't know whether my colleague pointed out or not. I considered it to be a loophole, and that is that the Provincial Auditor shall notify the head of the government office of the results of the review within the prescribed number of days after receiving an item for review. Guess what happens if they don't get to it, if they don't get to it within that prescribed time? Then, my assumption is from the bill—

*Interjection.*

**Ms Churley:** What if they have a backlog, which could happen—they get tied up with other things—and they don't meet the deadline? According to this bill, the Liberal Party can let her rip and just do whatever they had in mind in the first place anyway.

So those are two major loopholes in this bill which render it pretty ineffective.

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I just want to make a few comments with regard to the comments made by the member from Niagara Centre. First of all, this is a promise delivered. We promised while we campaigned to eliminate partisan advertising. Bill 25 speaks to that and removes partisan advertising. For the past few years we've seen on television and heard on radio commercials that had the Premier or a minister

speaking. It was very partisan. This bill says you can't do that any more, and I strongly support this bill.

Oftentimes we hear the opposition saying, "The Liberals haven't delivered on a single promise." Well, this is another promise delivered, along with minimum wage, along with freezing auto insurance within an hour of coming into office. The list goes on and on. We hired water inspectors and meat inspectors. We froze tuition, and so many other promises were delivered.

The member for Niagara Centre, in his remarks, spoke about the Toronto Sun and the labour situation there. I just want to tie some of my comments into that.

This new bill, if passed, would prevent us from putting ads that featured a picture of the Premier or any other minister in the Toronto Sun if it was done in a partisan way. It would be subject to review by the auditor. It also covers billboards, television ads and radio ads. It's quite strong, and it's quite simple and straightforward. I'm proud to support it. I think it's something that's long overdue and will save the taxpayers millions of dollars.

**1620**

### **The Acting Speaker: Response?**

**Mr Kormos:** That's what I've been trying to tell you. Trust me, you don't want to publish pictures of the Premier. Listen to what your pollsters are telling you and what the focus groups are telling you. Right now, Dalton McGuinty is the proverbial albatross. He is not a marketing feature. He is—who was that guy, Pee Wee Herman, right? He's about as valuable a marketing image as Pee Wee Herman, for Pete's sake. Dalton is not on the radar when it comes to personalities that you want to use to promote.

Speaking of broken promises, auto insurance—I just got a copy of a letter that a law firm, Heelis Williams Little & Almas, sent to my constituent Deborah Waldon. She was here yesterday to listen to our auto insurance question. She got ripped off by Co-operators down in St Catharines. Co-operators is a direct seller. Always avoid direct sellers. Any insurance agency with "state" as part of their name, avoid them like the plague. Avoid direct sellers in general because you don't have any broker to advocate for you. Do you understand what I'm saying?

But Vern Furtney ripped her off, and I know the whole story. So this woman—all the power to her—has been picketing. First Co-operators tried to have her busted. They called the police; they wanted her hauled away. The police laughed and said no, because they know what a rip-off scam auto insurance is in this province. They said, "We aren't going to bust her, for Pete's sake." The cop was probably saying, "I should bust you, the insurance broker, for fraud and theft vis-à-vis all those drivers and premium payers." Now they have a law firm threatening her with a lawsuit, so I think it's time. I think I'm going to join her on Saturday afternoon around noon or 12:30, maybe 1 o'clock, outside the Co-operators office and we'll set up a little picket line identifying Co-operators as the thieves that they are, along with every other private for-profit auto insurance company, along with their partners in crime, the Liberal government in the province of

Ontario, who promised lower premiums but delivered ongoing premium increases.

**Mr Baird:** On a point of order, Mr Speaker: I'd like to cite two of the standing orders. In case you'd like to follow me, I'm on page 2, section 1 (b): "The purpose of these standing orders is to ensure that proceedings are conducted in a manner that respects the democratic rights of members ... to hold the government accountable for its policies." I go from page 2 to page 12, where 11(a) states, "The presence of at least 12 members of the House, including the Speaker, is necessary to constitute a meeting of the House."

Speaker, there's no member of the government in the House. There is no minister in the House, not a single member of the executive council of Ontario, not a member of the treasury branch—no one. There are 23 ministers, and how could we hold the government accountable today in this place, when there's no minister in the House? It's shameful. I wonder if you could rule on that, Speaker.

**The Acting Speaker:** That's not a point of order. The Chair recognizes the member from Scarborough Centre.

**Mr Brad Duguid (Scarborough Centre):** Just to let you know right at the beginning, I'll be sharing my time with the member for Etobicoke North, so those who are listening who do get bored of my speech know that they have something very much in store for them in another 10 minutes. So they should stay tuned.

I'm pleased today to speak to the Government Advertising Act, 2003. It's an act to ban the use of partisan advertising by governments using taxpayer dollars. It's a bill that was put forward by our Chair of Management Board, the Honourable Gerry Phillips. I wouldn't normally do this in speaking to a bill, and it may sound almost like partisan puffery when I say this, but honestly it's not meant that way. It's actually very personal. I've known the member for Scarborough-Agincourt for many years, even prior to his time here in the Legislature. He's a member who spent 17 years of his life here in this Legislature. He's respected by all members of all sides of the House. He's respected by people right across this province. I say that because I'm proud, as a member from Scarborough, to call him somebody who very much has been—

### *Interjections.*

**Mr Duguid:** It's a great place to be from, a great place to grow up and a place that's very, very proud of the member for Scarborough-Agincourt for all the great work he's done for this province.

This bill will be one of a number of items that I would say is going to be part of the legacy of Gerry Phillips. Mr Phillips has contributed a lot to this Legislature, a lot to this province. He has much more to contribute, but I know he takes a lot of pride in this particular bill because it's something that will change the way things are done. It's something that will contribute greatly to our efforts in terms of democratic renewal. It's groundbreaking legislation, something that I don't believe exists anywhere in the world right now, something I'm sure a lot of other

jurisdictions are going to look to and say, "We want to do things like this."

Don't take my word for it. There are many others out there who are saying that this is a good way to govern, a good route to go, a good way to start our democratic renewal process. Just look at what Professor Jonathan Rose has to say. Professor Rose is the author of a book called *Pictures In Our Heads*. He's a professor at Queens' University.

**Mr Baird:** He was my professor.

**Mr Duguid:** He was the professor of the member for Nepean-Carleton. I don't know if that speaks well of him or not, but having known this member for a very long time, it probably does. He graduated, I assume, as well. So that speaks very highly of the professor, the fact that he was able to get the member for Nepean-Carleton through.

Professor Rose had this to say about this bill: "I have argued for a long time that government advertising needs to be reviewed by some other appropriate agency or body, and that's how it's done in other countries as well. Ontario is following the lead of countries like Australia and Britain who have independent offices which review government advertising. The biggest problem with government advertising is the perception that it is masking partisan advertising."

I think it is vetted through an independent office like the Provincial Auditor. It not only makes the advertising seem more legitimate, but it eliminates the concern that there is any sort of political interference. This is a good way for us to proceed, a good way for us to get our democratic renewal efforts off to a good start.

Something the member for Scarborough-Agincourt said when he introduced this bill was, "We are setting high standards for ourselves because Ontarians want their hard-earned tax dollars used to serve them and improve critical services, instead of serving partisan purposes." This is extremely important, and frankly, it's almost exactly what we heard when we went out to the residents right across Ontario in our budget consultation process.

During that budget consultation process we heard a number of things. We heard that Ontarians told us they want the government to be accountable, ethical and transparent. We heard that Ontarians told us to be fair. They're willing to accept changes, but they want the most vulnerable in our society protected. They told us that they believe in conservation, that they're willing to pay the full cost of services to promote conservation of our resources. They told us as well that they value public services and want them improved, and that they're prepared to have us work to balance the budget over time, but whatever we do, don't gut those public services in an effort to try to balance the budget prematurely.

This is relevant to what we're doing here today. Ontarians told us they're willing to do their share, that they're willing to do their part, but they want to know that we're using their funds efficiently and effectively. I think that if they see partisan advertising out there, they'll know their taxpayer dollars are not being used to

deal with those core services they want to protect: health care, education, growing strong communities. This approach fits in very tightly with the McGuinty government, with all the things we heard during the recent budget consultations.

Another thing Mr Phillips said when he introduced this bill was, "Every dollar spent on self-serving partisan advertisements is a dollar less for our classrooms, our health care system and our water inspectors."

That's so true. I believe Ontarians recognize this. That's why, many months ago, they were absolutely outraged when they saw those Tory ads on TV, prior to the election, about how great our health care system was and what a wonderful job the previous government was doing in the area of health care. They knew the opposite was the case. People in the city of Toronto and across this province went through the SARS crisis at that time. They recognized that there was a shortage of resources. They recognized that proper attention was not being paid to taking into consideration the things that had to be done in our health care system to prevent these things from happening.

I was watching television last night, the Michael Coren show. I saw the members for Niagara Centre and Simcoe North on the show, and as well the member from Willowdale. They were all doing a fine job putting forward their positions. There was one caller I heard who really struck a chord. I don't know where he was from. He talked about just recently being diagnosed with a very serious cancer illness. He talked about having to wait potentially two to three months before he could access treatment. How would that individual feel if he looked at the television set tonight and saw us wasting our money on partisan political ads, money that could be going into the health care system to try to lessen those waits for procedures within the health care system?

### 1630

I think that's something we should be very proud of. We're trying to set the right priorities around this place. Partisan advertising is not going to be a top priority, and that's why we're moving very quickly to try to get accountability in the health care system. We know we can make a difference. We know we can make that health care system more relevant and more important. We know we can make that health care system better and improve the services that are being provided.

Earlier this morning I met with some members from TABIA, the Toronto Association of Business Improvement Areas. They're across Toronto—

**Mr Baird:** They said, "Thanks for raising our taxes."

**Mr Duguid:** They did want to talk to me about taxes. The other thing they wanted to make sure we were doing was spending their tax dollars wisely. They said they don't mind so much paying their fair share of taxes—that's exactly what they said to me—but they want to make sure the dollars are being spent wisely: people like John Kiru from TABIA, Lionel Miskin from Shanemark Management and Investments—the member for Scarbor-

ough Southwest would know him very well—and Alex Ling.

These are people who care very much about what we're doing. They feel it is important that we're very conscious with our taxpayers' dollars. They would see this partisan advertising as a waste of taxpayers' dollars. They would want us investing in our communities, investing in our health care system, investing in our education system, because they, like the people they represent, are working extremely hard in their communities to create a better quality of life, to create a better economic environment for their communities, and they're doing a very good job at it. They want government working with them in partnership. They want to make sure that what we're doing with their tax dollars is going toward the right things.

It's a pleasure for me to support this legislation. It's legislation that speaks very well to our efforts in terms of democratic renewal. It is something that years from now we can look back on and say it may well be a turning point in the way governments deal with the public, the way governments communicate. This doesn't mean we can't communicate the things that are important for people to know about. It doesn't mean we can't communicate to let people know the important initiatives that this government is taking. It means we can't communicate in a partisan way, the way the previous government did time and time again.

I don't blame the people for being outraged at that form of communication. I don't blame the people for rejecting the previous government for those efforts. I think that years from now this government will be respected for doing something that will very much put us forward in terms of our efforts at democratic renewal. I'll now pass it over to the member for Etobicoke North.

**Mr Shafiq Qaadri (Etobicoke North):** To my honourable colleagues and, in addition, the MPP for Nepean-Carleton, and through you, Speaker, to the people of Ontario, it is a privilege, first of all, for me to speak in support of Bill 25, An Act respecting government advertising. I would very much like to further and echo the remarks of my colleague the MPP for Scarborough Centre, Mr Brad Duguid.

What this bill envisions and encompasses is really at the heart of the democratic process. It's our public faith in democracy. It's the removal of this self-serving advertising, this partisan advertising that is essentially disguised as government information householders, which were even used to the point where the government of the day took on various groups, whether it was teachers or people in the health care sector, even unions, even the federal government. They really misused that whole capacity for partisan advertising. It was an abuse of privilege.

With this bill, we want to reintroduce a sense of transparency, accountability and fiscal responsibility. That's why we'll be engaging an independent auditor who will actually pre-screen these materials before general and wholesale distribution. That will invoke a standard of

ethics, prohibitions and really eliminate the self-congratulatory self-praise that seemed to be going on ad nau-seam by the previous government.

**Mr Baird:** On a point of order, Mr Speaker: I would like to draw your attention to standing order 23, which calls upon you: "In debate, a member shall be called to order by the Speaker if he or she...."

"(h) Makes allegations against another member"—which this member just did.

"(i) Imputes false or unavowed motives to another member." This member is imputing a false motive to some members of the House.

"(j) Charges another member with uttering a deliberate falsehood."

I want you to consider this and call the member to order pursuant to the standing order. Thank you, Speaker.

**The Acting Speaker:** Thank you. I never heard those, member. So continue—

*Interjection.*

**The Acting Speaker:** Member, I am ruling. That's not a point of order. The member for Etobicoke North can proceed.

**Mr Qaadri:** Thank you, Speaker, for that ruling. I would add that the MPP for Nepean-Carleton's rising on points of order on the decorum of this House is also slightly ironic and deserves even more applause.

The previous regime, for example, spray-painted all across Ontario, it seemed, the famous phrase "Tax dollars working for you," with the appended signature of the Premier of the day. In reality, that was tax dollars working for the PC Party.

The MPP from Simcoe North, for example, pleads with the government, "Why doesn't the Premier of this day actually spend the dollars on health care?" It's precisely for that fact, to eliminate the self-promotional, self-praising waste of money, to the tune of something on the order of about \$500 million over the entire mandate of the previous government that was wasted on this self-promotional advertising.

The MPP for Niagara Centre asked for independent commentary. Let's go to it. Here is an article from the Toronto Star titled "Slipping Propaganda Through the Loopholes." After the MPP for Niagara Centre finished his usual act of clowning, and I might say today laced, unusually for him, with a lot of soft pornographic references which, frankly, offended—

**Mr Baird:** On a point of order, Mr Speaker: Again I refer you to sections 23(h) and (i). By accusing the member for Niagara Centre of engaging in pornographic acts in the course of his debate, he is making false allegations against the member for Niagara Centre. I, for one, will not stand by and watch the name and reputation of the member for Niagara Centre be besmirched in such a—

**The Acting Speaker:** I did not hear any of those.

Continue, member for Etobicoke North.

**Mr Qaadri:** I await the member's next point of order; perhaps third-time lucky.

In the Toronto Star, a Queen's University professor says, "I have argued for a long time that government

advertising needs to be reviewed by some other appropriate agency or body,” and that’s what we’re doing. He says, “The biggest problem with government advertising is the perception that it is masking partisan advertising.”

Let’s actually go to some samples of government advertising. Here is a brilliant ad. I commend the previous government for actually inducing, somehow—we’re not sure how—a legitimate smile in the previous Premier Mike Harris. The by-line in the Economist says, “Check out Mike Harris’s mug in an ad in a recent issue touting the glories of Ontario. We couldn’t help but wonder if the Premier is using this \$54,000 piece of puffery to get himself hitched to the corporate director gravy train. After all, he’s not going to be sticking around Queen’s Park for long. He’s barely there now.”

Let’s talk about some of the other householders on which were spent an individual cost of \$10 million—this particular householder, full of photographs of the previous cabinet members, including the ever-smiling Mike Harris with the perma-smile there.

**1640**

Another householder, essentially putting forth the Tory messaging, says, “Taxes must continue to come down so that more people can share in Ontario’s growing prosperity.” For \$10 million, this is what we got. “Please continue to let me know what’s on your mind, and have a great fall.”

Beyond that, here we have Mike Harris saying, “Ontario’s plan for smart growth recognizes that planning for the future means making some tough choices today.” Again, \$10 million to let us know what these choices were going to be. “Our plan is designed to protect jobs, keep families financially”—yes, sir?

**The Acting Speaker:** Please don’t refer to those props that you have out there.

**Mr Qadri:** With respect, I will attempt to do so, sir.

**The Acting Speaker:** Just speak to the bill, please. I’ve asked you not to refer to that. Can you just speak to the bill, please.

**Mr Qadri:** Yes, I will. I would like to refer to government advertising, both this government’s pledge for its future advertising and previous government advertising, which this bill particularly addresses. This is precisely what we’re attempting to outlaw.

For example, the previous government released an Ontario health update, which was really unbelievable for those of us working in the health care sector, talking about the reduction of waiting lists, the improvement of emergency services.

Here’s a slam at CUPE. There was a several-thousand-dollar ad placed in newspapers, “More Money for Nurses,” which was unbelievable if you happened to frequent any hospital in Ontario.

Here’s a slam on teachers.

**The Acting Speaker:** I already told you what to do with respect to those documents. I want to you speak to the bill.

**Mr Qadri:** I’d be honoured to do so. With reference to these particular advertisements, materials, house-

holders, we in this government pledge, sir, that this government will not abuse the privilege, will not abuse the power of being the governing party and waste in total sum, as the previous government did, \$500 million, money, as the MPP from Scarborough Centre quite rightly pointed out, that should have been better spent on health care, on education, on building the foundations for tomorrow and laying the foundations for prosperity.

I would like to conclude by quoting Benjamin Disraeli, former Prime Minister of England, who said, “I repeat ... that all power is a trust”—including yours, Speaker—“that we are accountable for its exercise; that from the people and for the people all” power springs, and all power exists. It is for that reason that I have brought forth these many, many examples of previous government self-promotional, self-praising advertising and pledge that that day is now over.

**Mr Dunlop:** It’s warm in here. I’m kind of disappointed in some of the comments that were made in the last little while. We’re a peaceful group here and we don’t need to be accused of all these things.

I was very interested in the fact that he brought so many of the famous ON magazines out, or the brochures that we sent out to the citizens of Ontario. They were very, very informative. I had a lot of positive feedback on those documents. I’m glad the member today brought them forward to show.

I know, Mr Speaker, you didn’t want to allow them to be shown in the room, but the only thing I could find that would be in any way partisan would be the message from the Premier, and possibly a message from the Minister of Education.

Not too long ago I picked up a 1990 Ontario water regulations document, and do you know what? There was a message from, guess who?

**Mr Baird:** Jim Bradley.

**Mr Dunlop:** Jim Bradley. A picture, and a message from Jim Bradley on water regulations. I would call that—if the ON magazine is partisan advertising, I would call Jim Bradley’s document, in 1990, partisan advertising. It’s amazing how we forgot where we were before and how we got here.

Now we’ve got all these perfectionists on the other side who are setting a new bar for politics, even though they’re all intertwined and there’s almost incest going on with the federal Liberals, and you know the sponsorship scandal. I guess that’s, what, a billion dollars now, another one of the boondoggles, and now they’re trying to get out of it. Quite frankly, I don’t think this message really went very far. I look forward to other comments and my future opportunity to debate here as well.

**Ms Churley:** I feel like I really have to stand up and defend the honour of my colleague from Niagara Centre here, because this debate has taken some pretty strange twists and turns this afternoon. Viewers might think we’re debating the Ontario Film Review Board or something, with some of the words that have been thrown around here today.

When we got into government in 1990—I'm going to do a little advertising here—some time after the member for Niagara Centre was Minister of Consumer and Commercial Relations, I became that minister. I remember that one of the first things I had to do—and I didn't know where this was all leading—was sign just one elevator licence with my very legible, schoolgirlish signature, the big loops, "Marilyn Churley," for the elevators, and the next thing I knew, my name was in every elevator in Ontario. In fact, there was a song. I don't know—

*Interjections.*

**Ms Churley:** Here we go again. Where am I going with this? I'll tell you, I don't know if you've heard the song. There's a song out about that called The Signature of Marilyn Churley, by Kurt Swinghammer. He's a local artist, a very good singer, and you can still look it up on the Web site. It's actually a very good song; it's a neat song. Everybody should go to that Web site and buy that CD, because it's a really good one.

Look, this bill before us today is an important bill. Unfortunately, it doesn't meet its objective. It's papering over the fact that they made a promise, and the Liberals are now appearing as though they're keeping it, but unfortunately, when you look at the loopholes that are in this bill, it really is not going to be able to do what you say you want to do today.

**Mr John Milloy (Kitchener Centre):** I want to begin by congratulating my two colleagues the member from Scarborough Centre and the member from Etobicoke North for their very fine presentations on Bill 25, a bill which shows once again our willingness to move forward to keep our promises.

I think what's most interesting about Bill 25—and both of them touched on it—is that it's about a new era in politics. A lot of the old games that have been played in the past are over. And you know what? I'm not going to be partisan, because governments of all stripes have played them. We don't have the money and the resources, and I think the people of Ontario have sent that message to us here at Queen's Park and to the federal government as well.

We don't have the resources any more to play partisan games. The money that they give in their tax dollars has to be spent for what it's intended for. It has to be spent for education. It has to be spent for health care. To engage in this close-to-the-line, partisan, political advertising, standing up and telling the world how good you are, the voters of Ontario have no patience for it any more. I think both speakers pointed that out very clearly.

I want to take issue with the comment that was made by my friend here from Simcoe North. He said many people praised the advertising when the Conservatives were in government. I just want to tell you that during the campaign trail a number of people held up little pamphlets telling them how great their health care system was, how great their schools were, when they were faced with children in overcrowded classrooms, when they had relatives or friends waiting hours and hours in emergency rooms. They were offended by those documents. They

said to me at the door, "Why can't we take that money"—you know, it adds up to millions of dollars—"and use it to buy a new MRI or to relieve some of the stress in our school system?" These were the types of messages that I heard in the campaign, which is why I found this to be one of the most exciting commitments that we made, and I'm very pleased that we're living up to this promise in Bill 25.

**1650**

**Mr Baird:** I listened with great interest to the remarks by my two colleagues. One of them quoted something, a flyer or a blurb that went into an out-of-Ontario publication—"Why would the government want to waste money on that to publicize the head of government?" I would ask them why on page 4 of the bill does it give an exemption in section 6(2): "does not apply with respect to an item for which the primary target audience is located outside of Ontario"?

If Dalton McGuinty wants to run ads—we know Dalton McGuinty is already engaged in partisan advertising; he's on the front page with the big Ontario flag, the magazine—it's not called ON magazine; this one's called Topical. It's a magazine published by Gerry Phillips. It had his picture on the front of the next edition. Do you know what colour they used? They used exactly the same colour as the Liberal Party of Ontario. Pure coincidence. The public servant at the Management Board Secretariat said it was just a coincidence. So why is there this Mack truck loophole in this?

I have a question for Brad Duguid. I want to know: Does he stand by all the nice things that he said about John Tory? Does he stand by his endorsement of John Tory's leadership abilities? Does he stand by his fluffy comments about how great John Tory is? I want to know if he's going to stand with John Tory at the next election—

**The Acting Speaker:** Are you finished? OK. Response?

**Mr Qaadri:** The National Post: The Tories have spent a good deal of money on advertising never before seen in this province—direct, unambiguous partisan advertising—

**The Acting Speaker:** Member, I want you to respond to the debate, please.

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** On a point of order, Mr Speaker—

**Mr Baird:** You're challenging the Chair. Take him out.

**The Acting Speaker:** The Chair recognizes the Attorney General, if he wants to be recognized.

**Hon Mr Bryant:** Thank you, Speaker. A couple of things: It's standing order 24(vi)d. I think the interventions from the member for Nepean-Carleton are—

**The Acting Speaker:** Is this a point of order?

**Hon Mr Bryant:** Yes, it is.

**Mr Baird:** You're challenging the Chair.

**Hon Mr Bryant:** No, I'm not; I'm making the point of order. I think the member from Nepean-Carleton is violating that standing order as well as the Geneva Convention. Speaker, I'd like to say as well, while I'm on this point of order—

**The Acting Speaker:** Continue with the response.

**Mr Qadri:** Thank you, Speaker, for allowing me a point of privilege to actually complete my remarks, without hindrance from others, on Bill 25, An Act respecting government advertising.

I'd like to thank all of my honourable colleagues for their remarks. With this bill, we're looking to restore public faith in democracy, to remove the capacity for self-serving advertising, which I feel is an abuse of privilege, many examples of which I furnished for you, this House and the people of Ontario. It's a matter of restoring transparency, accountability and fiscal responsibility so that the taxpayer dollars, unlike previously advertised, are working for whom they should be working; that is, of course, the people of Ontario. That is the vision, the spirit and the embodiment of this particular bill.

**Ms Churley:** On a point of order, Mr Speaker: I hope you'll accept this as a point of order, because I really think it's important to this Legislature to have clarification, please, in terms of your ruling from the previous speaker when he was referring specifically to advertising, which in my understanding is the rationale for the government bringing forward this bill. So I think it's important to all members—

**The Acting Speaker:** It's not a point of order. We've moved on.

**Mr Dunlop:** I'm pleased today to join in this debate on Bill 25, the government advertising act.

*Interjections.*

**Mr Dunlop:** Are we done?

I won't be supporting this bill. It's one of your warm and fuzzy pieces of legislation. It's a kind of motherhood thing for Mother Dalton over there.

I mentioned a little while ago, when I was doing one of my hits, about searching through some old documents. I came across the Ontario water regulations from 1990, and there was a picture of Jim Bradley with a nice, political message on it. I think everybody remembers. I think it was April 1990, and we know what happened in September 1990.

**Mr Baird:** Thrown out of office.

**Mr Dunlop:** Gone. Got rid of them.

This type of advertising, with messages from the Premier or one of the ministers: I guess one of the most obvious types—I guess you'd call it partisan advertising—are the actual signs that we put up on our highways or our construction projects across the province. In all fairness to the Minister of Public Infrastructure Renewal, when he gets this bill out, he will obviously have to pull down those signs. I expect it's likely we won't see any more of those types of signs in this term of government.

But there are enough loopholes in the bill, of course, that they could put them up at any time. Certainly by the

time the next election rolls around, if the Minister of Public Infrastructure Renewal is still the minister at that point, his name will be on the signs, the same as your family members' or Premier Peterson's name was on. Certainly Mr Rae's name was on signs.

I can remember—was it Ed Philips? Ed Philips was the Minister of Municipal Affairs, I believe, under the Rae government. We've seen all types of Ed Philips's signs. He was one of the first ministers under the Rae government who actually used the infrastructure program in conjunction with the federal government. Everywhere you went there were these Ed Philips signs stuck up, and they had some PRIDE programs.

Look, this has been going on for decades in Ontario. As a new government, seven months into power, we already have seen this pork-barrelling. We've seen, with the private consultants on their town hall meetings, this document—a couple of hundred thousand dollars un-tendered, as he spoke to 250 people on their advice to the citizens of Ontario on the budget. It clearly continues under Mr Dalton McGuinty, the Premier.

But sometimes I'm curious about what's wrong with some government advertising. I look across the room, and I don't know if people are interested tonight in hearing these sorts of comments. It's been a long week. I don't know how everybody else is feeling in here, but I find it's really getting warm in this building. I think from now on we're in for some difficult, hot days between now and the end of June in this Legislature, and I hope we can keep calm. I don't want you heckling me all the time and getting excited if I say anything. I just want you to keep calm, and we'll do our best to debate every bill possible.

But certainly there are all types of government advertising, and I don't know how you could possibly take that advertising away from the people. I think of something, for example, like Telehealth. Hundreds of thousands of dollars were spent on Telehealth. Of course, that's included in your advertising.

*Interjection.*

**Mr Dunlop:** Well, OK. But the next step you'll find is that you'll actually blame Telehealth and try to say that's partisan advertising because that's our program. We brought out that program, and we're very proud of Telehealth. We expanded it through the whole province. I believe that people in the province of Ontario should know the numbers for Telehealth.

*Interjection.*

**Mr Dunlop:** Mr Peterson had nothing to do with Telehealth; you know that. The heckling that's going on over there—pretty soon you're going to be saying that Mr Peterson started the Taxpayer Protection Act. But Telehealth's a good example.

Second of all, things like all the information that we provided last year in a very, very difficult time for the citizens of Ontario around SARS. A lot of money went into that, first of all in warning people about the trouble with SARS, trying to indicate to people where they could get help etc and how to help the public health services.

But, certainly, I think it was important that the people of Ontario were actually notified about SARS.

Then I think we spent a lot of money—I didn't see the minister's name or the Premier's name on anything—thanking the health care professionals in the province of Ontario for the hard work and fine work they did in working with the SARS tragedy.

1700

Then we had the blackout. The blackout was a major issue. I know a lot of advertising went into that as we tried to work with the business community and the citizens of the province to make sure they would hold back on the amount of power they actually consumed over a few weeks so that we could get the power generation back up and working. I think that was needed. Of course, hundreds of thousands of dollars were spent on that.

Then I think of things like the calendars we have on elder abuse. I don't know if you folks are going to continue on, but I think Mr Watson will likely continue on with the elder abuse catalogue. We went through literally thousands of those in our constituency, and my senior citizens really enjoyed getting those documents. They enjoyed having a calendar put aside, with all the information that was provided through all the different ministries. Of course, that would be considered government advertising. I don't know if it's going to be included or not now.

I think what we're really referring to here is something like ON Magazine, that we sent out a few copies of throughout the years. Some people didn't like it. I particularly thought that it was very, very informative. Maybe some people were offended with the picture of the Premier on it or the picture of the Minister of Education. But the loopholes are still in the legislation to allow that type of document to be printed today and to be distributed. One of Mr McGuinty's high priorities is this particular piece of legislation, because, as I said earlier, he's certainly not concerned about health care. As we look forward to the future in the province of Ontario, I think we will see governments continue to advertise.

Let's talk about their cousins for a moment, the federal Liberals. Certainly one of the documents that I was most proud of—and I would call this partisan advertising—was Mike Harris's leadership in his fight for more funding from the federal health care system. I think we'll all remember the ads that were put on TV. I think they used pills. The system used to be under Brian Mulroney, and it was 18 pills, where the province of Ontario contributed 82 pills. Then the new ads showed that, under the current system with Mr Chrétien, and now Mr Martin—because they gutted health care as we know it—13 pills versus 87 pills. It showed the decrease in the amount of funding, and they used the example of pills. Of course, Mike Harris led all Canadian premiers in the fight for additional health care funding from the Chrétien-Martin government, which had gutted the health care system here in our province, as well as other provinces across our country.

Now I understand the new Premier has decided now that he's going to be the health care fighter. This is the same guy who wouldn't sign the document asking for full funding from the federal government. The leader of the New Democratic Party, Howard Hampton, signed it, Mike Harris, the Premier of Ontario, signed it on behalf of the government, but Dalton McGuinty refused to sign it. He didn't want to fight for health care dollars. He was happy to see Jean Chrétien and Paul Martin gut the health care system here in Ontario, without adequate funding.

I was really extremely disappointed in Dalton McGuinty in the direction he took on that. If there's one time I thought that everybody in this House should have stood together to fight for fair health care dollars in Ontario, it was that day, and Dalton McGuinty refused to sign the document.

Now, Mr McGuinty didn't have any problems signing the Taxpayer Protection Act back on September 11. He made it a really good photo op; basically it was a publicity stunt, almost a charade, as he signed the Taxpayer Protection Act, desperate for votes in this province. He promised everybody and every little organization in every little community he visited what they wanted to hear, and it's coming back to haunt him.

It came up in the debate last night on the talk show that Mr Kormos and Mr Zimmer and I were on together. It's very clear that the people in the province of Ontario are very disappointed in the promises that Mr McGuinty has broken. I think we're going to see something next Thursday that will be extremely special. I think Mr McGuinty has got a real problem in the city of Hamilton. We're going to do our best to make sure a Liberal does not win that riding.

I have a number of things I could talk about here today. I'll continue on because I've got a meeting in a very short period of time.

I want to say that there are a number of other issues we should be concerned about with this legislation. One of them is the fact that—sorry, Mr Speaker, it's been a long day and a long week for me. I've got so many notes in front of me here and I'm trying to do the best—

*Interjection.*

**Mr Dunlop:** I can tell you that we are working hard here in this House, and it's a long weekend ahead of us. This is Mother's Day weekend and Mother's Day is really special around our place. There are no appointments, no meetings and no events. Mother's Day is a day I spend with my mother and my wife.

I haven't got a lot more to say right now on this bill. I look forward to further debate on this. I appreciate the fact that I've been able to say this much today.

I'm going to give up my time at this time. We have another couple of speakers coming up a little while later. But I want to stress the fact that this particular legislation has a number of loopholes. It's warm and fuzzy. It's one of the Liberals' funny little promises that they probably will keep. For the time being, it has enough loopholes to make you kind of look good there. You will probably look fine as the bill is passed, but the loopholes will open

up over the next two years, then the third and then fourth year, and we'll see all kinds of partisan advertising. We'll be watching very carefully. We'll watch how many more town hall budget-style meetings you have without tendering for the consultants who handle it. As well, we'll watch very carefully the document that's coming out on May 18. That's the document that should balance the budget. Mr McGuinty signed the Taxpayer Protection Act.

**Hon David Caplan (Minister of Public Infrastructure Renewal):** It will be here in the Legislature, not at Magna.

**Mr Dunlop:** Yes, it will be here in the Legislature. It will be right here. I understand that Mr McGuinty will have his budget right here in the Legislature. The problem is what's in the budget. That's what the problem is going to be. I'm going to look forward to seeing the kind of money you've promised and how many of the groups that you've—for example, autistic children, long-term-care facilities. There are all kinds of people who are expecting more money, the docs, the hospitals, certainly our education system. Dr Rozanski's recommendations have to be implemented this time around.

What I see is \$1.3 billion in class capping and that's a mistake in itself. I don't know what you're going to do with class capping. My little granddaughter is in a class of 21 in a beautiful little school called Marchmount Public School about seven miles west of Orillia. What's going to happen to her class? She's in junior K. Is she going to have to be taken away to another school so the class can be capped at 20, or is she going to be in a class of 11 and 10, so we'll have one teacher teaching 10 students and one 11? I just can't figure it out. No one in the school—all the parents are wondering. These are the kinds of questions we're getting in our constituency office as well now.

There are some real concerns around some of these announcements. The biggest concern is the moratorium. I can't believe it. The other day I couldn't believe what happened here. After that big announcement with Minister Kennedy saying there would be a one-year moratorium on the closure of schools, already—

**Mr Mike Colle (Eglinton-Lawrence):** On a point of order, Mr Speaker: I sat in this House as you repeatedly interrupted our member when he was reading about advertising and talking about advertising. We have a member across here who is not on topic whatsoever. He has to be on topic, as you ordered our member to be on topic. I hope you rule for him to be on topic, Bill 25, not talking about moratoriums, talking about advertising—

**The Acting Speaker:** I've heard you, member. Take your seat. The Chair recognizes the member for Simcoe North. You've heard the other member: Try to keep on topic.

1710

**Mr Dunlop:** I'm glad he talked about the moratorium on school closures. Do you know why? Because in every announcement they make, they put this big bulletin board behind them. It's called wallpaper, Dalton McGuinty—

coloured wallpaper. All the money you spend on the bloody announcements—every day I see one. That's partisan advertising. He has no business standing there opening his mouth.

**Mr Colle:** On a point of order, Mr Speaker: Again, unparliamentary language by the member for Simcoe North. He's talking about children being in school. Children are watching this program and I hope he withdraws that unparliamentary remark he just made.

**The Acting Speaker:** That's not a point of order. You may continue, member for Simcoe North.

**Mr Dunlop:** Thank you. I'm going back to the partisan advertising, and here we're seeing it with the wallpaper on every bloody announcement you're making.

**Mr Colle:** On a point of order, Mr Speaker.

**The Acting Speaker:** What's your point of order now?

**Mr Colle:** Again, the member for Simcoe North is using unparliamentary language not fit for the pages and not fit for the people—

**The Acting Speaker:** That's not a point of order. Member for Simcoe North, continue.

**Mr Colle:** He should withdraw that kind of language.

**The Acting Speaker:** You've already dealt with your point of order. I don't want to hear it again.

**Mr Dunlop:** This is coming from the man who swore at people during the election campaign, standing there on the streets of Toronto, swearing at people.

**Mr Colle:** Not in this Legislature.

**Mr Dunlop:** Yes, you were standing, swearing in the streets and that's why you're not in cabinet.

**The Acting Speaker:** Member for Simcoe North, withdraw that. I'm not going to have that.

**Mr Dunlop:** I'll withdraw the point that he—because he doesn't deserve to be in cabinet.

**The Acting Speaker:** Just debate the bill, OK?

**Mr Dunlop:** I go back to the partisan advertising on the wallpaper that all the ministers are using now, because that's a very important point. I think that should be withdrawn. I hope that the Provincial Auditor will look at that because it's Liberal colours, Liberal documents behind them, Liberal phrases. Quite frankly, it's partisan advertising.

**Hon Mr Bryant:** You're advertising right now. Those are NDP colours.

**Mr Dunlop:** Thank you. The fact of the matter is, they've got to practise what they preach. Quite frankly, the wallpaper they use in all their announcements is partisan advertising. So we'll be asking the Provincial Auditor to look at that, because it's clearly against the intention of this particular piece of legislation, which of course hasn't been passed yet. But it will be passed, I expect, by this House and that's when we'll start complaining about the partisan advertising that we see on the wallpaper you're using in all your announcements.

With that, it's a pleasure to be here today. I didn't mean for everybody to get excited because I said a few words. It's important that these types of things get brought out. But the fact of the matter is, this bill is filled

with loopholes. We won't be supporting it. I look forward to further debate.

**The Acting Speaker:** Questions and comments?

**Mr Kormos:** I listened carefully to what the member had to say. I also listened to the interjections and I consider entirely appropriate the efforts on the part of Mr Colle to bring some order and decorum to this House. I come in here every day and I know the rules and, if I have to live by the rules, why shouldn't other people have to live by the rules?

The standing orders are there for a purpose. I call upon all members, please, read those standing orders and then let them guide you as you live your parliamentary life here at Queen's Park. We'll all be better for it. If only we all played by the same rules, this could be a place of harmony and joy, rather than a place of discord. We could abolish the adversary air that permeates here. If we all followed the rules—I could just see it—we'd be burning incense and holding hands, chanting, "Ohm, ohm." We could levitate Queen's Park if only this place weren't so adversary, if only we all sang from the same hymnbook, if only we all agreed with each other. If only. Just imagine, we could bring peace and harmony to this place. When I see the interventions by well-meaning members who I know have a far different vision of the Legislature than, obviously, some of the members do, I encourage them to carry on with that noble, noble goal.

**Mr Colle:** It's interesting to note that the member from Simcoe North was talking about, at times, Bill 25. I recall, in Eglinton-Lawrence, I would almost welcome the government ads on TV because every time the Mike Harris ads and Ernie Eves ads were on TV, people would call me and say, "This is an awful waste of taxpayer dollars; I'm not voting for those Tories." Remember those pamphlets that would come like clockwork every month in the door? Again, the phones would ring off the hook, and all the voters would say, "What a waste of taxpayer dollars," so it was great to see those come in the door. The only negative was, obviously, this was the same government that was complaining it had no money for schools, no money for hospitals, yet they had \$500 million for partisan advertising.

Now, all of a sudden, we were doing what we said we were going to do. We made a commitment to listen to the people and get rid of that partisan advertising. It wasn't just the normal partisan advertising. It was unprecedented. It was \$500 million of advertising, spent by a government that claimed not to have any money. That's why this Bill 25 is necessary—because the people of Ontario don't want governments to spend their hard-earned money on self-promotion, like the previous government did under Ernie Eves and Mike Harris. They said, "Stop it." Bill 25 stops that gross expenditure of tax dollars.

It would be interesting to see how they vote. Do they vote for more, or do they vote to stop the gross—

**The Acting Speaker:** Thank you, The Chair recognizes the minister.

**Hon Mr Caplan:** I wanted to comment on the member's comments because I think he should know that upon the swearing in of the cabinet and upon assuming the position in public infrastructure, one of the first questions I had to deal with was what to do with the proliferation of signs out on the highways. I instructed my officials immediately just to take them down without any fanfare because it is not a reasonable use, to promote a minister or a government. To provide information about what to do for health care services, as the member talked about, is an absolutely legitimate use; how to interface with a government department, how to get information, how to get help and assistance, but not to promote a political partisan ad. That's what the spirit of this bill is about.

I know that we have a lot of partisanship in here, as it should be. We have a lot of different views. I know my friend from Niagara Centre talked somewhat tongue-in-cheek, but I think we could all agree that we are sent here, to this place, to represent not our own interests, but the interests of the people who sent us here, that we should be spending our dollars to help and assist them. That's what this bill is all about. To remove what has been an abusive process, an abuse of taxpayers' dollars for partisan political purposes, takes a measure of leadership because it is awfully tempting to want to do that, but it's a measure of leadership to say no. We are going to do the right thing, which is to spend taxpayers' dollars wisely. I hope that the members opposite will support this bill because that's precisely what it does.

1720

**The Acting Speaker:** In response, the Chair recognizes the member for Simcoe North.

**Mr Dunlop:** I appreciate the comments from the members for Eglinton-Lawrence, Niagara Centre and Don Valley East. I saw on the news this morning the Premier, Dalton McGuinty, with the Dalai Lama, so maybe that's our first step. Maybe he'll come in here and give us a lesson on Monday and follow up with what the member for Niagara Centre was saying.

I take your comments seriously on that. I understand about the line, because I know when you start up that path, it can expand. If we set the bar at a certain level and no one moves from that, maybe that will be the bar that's left there for the future. Unfortunately the bill does have loopholes that would allow you to move forward with it.

**Hon Mr Caplan:** Introduce amendments.

**Mr Dunlop:** We probably will be introducing amendments on this if that's the intent of the bill. There are so many ways you can promote partisan advertising while you're a member of the government. Even as a member of the opposition, you're always—that's our job here. We're politicians. We belong to different parties, and certainly part of our job is to try to get re-elected. We do the best we can, and you'll do the best you can.

As you get closer to the next election—you're more confident right now and you certainly have the right to be. You guys have won a large majority government. You're in a position right now where you can be kind of

confident for a couple of years, but after a couple of years things may change. We'll watch very carefully the direction the government goes in with this piece of legislation.

I thank the members for their comments this afternoon. I appreciate it's been a long, difficult week here in the House. I look forward to—

*Interjection.*

**Mr Dunlop:** It's been difficult for me.

**Mr Kormos:** It's not been difficult. It's been a four-day week.

**Mr Dunlop:** I've been here at 6:30 every morning. I'm usually here until 11 o'clock at night. So it's been a long week for me. Thank you so much for this opportunity. I look forward to further debate.

**The Acting Speaker:** Further debate?

**Ms Laurel C. Brotin (Etobicoke-Lakeshore):** I'm very pleased to have a chance to speak about this legislation, and to share my time with my colleague from Perth-Middlesex. I want to spend my time talking a little bit about what this legislation really is about. Sometimes in the Legislature not a lot of factual information is provided. There's a lot of misinformation. Certainly it's a partisan place. But at its heart this legislation, I think, has a foundation of respect. That foundation is a respect for taxpayers' dollars, for the hard-earned money they give the government each and every year to spend on things that are important to them.

I know that when I had a chance to speak to my community in Etobicoke-Lakeshore about what they expected from a representative and what they expected from a government, it was very much that we would spend their dollars wisely, that we would give them value for their dollars.

The commitment we made during the campaign to ban partisan advertising was something that very much resonated with voters. Can you imagine? In my community, Wedgwood school had a gaping hole in the roof of the school. You're a parent who's being told there's not enough money to repair the roof on this school. There are many children in each of the classrooms. Yet at your door what you receive on a regular monthly basis is something that talks about how great the education system is, a very glossy brochure with pictures of the Premier and the cabinet minister talking about a real fictitious reality, about how great the education system is.

Similarly, I was talking to people in Mimico and Long Branch and all over my community about health care at the same time. We were fighting about the fact that many people in our community couldn't find family physicians, were on long waiting lists for assistance in health and home care, all those issues this government is actively working on right now. You would get a brochure at your door that would say, "The health care system is fantastic and it's all because of Mike Harris, Ernie Eves, Minister Clement," the many members of the former government.

You can understand, when you have had a chance to speak to people in the community, why they're cynical about government. They were certainly cynical because

they were being sold a bill of goods. They could see their tax dollars being wasted. Those brochures came in the door and they made them angry. They looked at them, they made them angry and they threw them in the recycling bin. Their money was wasted.

That cynicism and concern about getting value for tax dollars continues to this day. I had an opportunity to travel the province on behalf of the Premier and speak to people at the regional town halls. So many people are cynical about government wasting their money. I can agree. I understand why they're cynical, because frankly we've lived through many years of waste.

As a member of the public accounts committee, having an opportunity to examine other areas of government waste, we certainly see a history of disrespect for taxpayers' hard-earned dollars. We need to re-examine that. This government is taking leadership. This is the first step to say, "We're going to meet a commitment that we made, and we are not going to waste your hard-earned dollars on partisan advertising."

Certainly there's a lot of information that does need to be given to the people of this province. The people in Etobicoke-Lakeshore need to understand what information I'm making available to them as their MPP. So I want to just spend a minute talking about what this legislation is actually going to do.

What this proposed legislation is going to do is require the office of the Provincial Auditor—the same individual to whom we give the responsibility to determine and ensure that taxpayers get value for their tax dollars on public accounts—to review government advertising in advance. In so many instances when we've been sitting through our public accounts committee and had a chance to look at waste and misspent funds, we've said, "Wouldn't it have been nice if someone like the auditor had examined this before?" And that's what this legislation is going to do on the advertising front. The Provincial Auditor is going to review government advertising in advance. He's going to review ads that would appear on television, radio, billboards and in print, as well as printed material—that very same type of material that would have been distributed to households across Ontario by bulk mail—and he'll be the one—either he or his appointed designate, the Advertising Commissioner—who will determine whether it promotes partisan interests. That's the key fact. Absolutely, a government has a responsibility to inform the public, but they don't have the right to waste taxpayers' dollars on what would be partisan advertising, advertising that really should be paid for—and certainly in advance of the last election we saw the volume of information increasing in terms of the brochures advertising what the government was doing. It was advertising that was very partisan in its nature.

The advertising will have to meet certain standards under the proposed act. It must be reasonable in that it must "inform the public of current or proposed government policies, programs or services ..."—that information is legitimate; and "inform the public of their rights and responsibilities..." Clearly, your right to work in a safe

environment, your right to not be discriminated against—all of those are important things that the government does need to let people know about regarding their rights and, in return, also their responsibilities.

“To encourage or discourage specific social behaviour, in the public interest.” We had a very poignant moment recently in the Legislature when our colleague brought forward legislation in recognition of his son, to talk about the fact that we should advertise the consequences of fetal alcohol syndrome. That is something that discourages a certain type of behaviour, and that, again, is a legitimate role for the government to play.

“To promote Ontario”—tourism. We certainly know, after the SARS crisis in our province, that we need to help our tourism industry, and we need to promote, in our own communities, that it’s “a good place to live, work, invest, study or visit.”

It’s also going to be important in the proposed legislation that the government of Ontario states that it is paying for the advertisement, so that there’s not a misunderstanding about who is paying. If we believe it’s not partisan and we’re prepared to put our neck out and say, “This is important information that we’re going to deliver to the people in this province,” we’re going to say right on it that it is an advertisement paid for by the government.

“It must not include the name, voice or image of a member of the executive council or a member of the assembly.

“It must not be partisan.”

So clearly, it must not be in the Minister of Health’s riding that a big, glossy brochure comes out saying how great the minister is in achieving his various ends. We know he’ll be doing a good job. He can do his own work in his own community, but we’re not going to have taxpayers’ dollars.

There’s certainly a caveat in terms of the legislation. We’ve heard a lot about caveats and I want to talk about it. Advertising done on “an urgent matter affecting public health or safety,” public notices required by law, government of Ontario tenders and job advertisements will be exempt from the legislation. So it’s certainly well-thought-out legislation. There are strong and stringent rules that will be put in place.

What our new government is going to do is put the public interest first, give you value for your tax dollars and respect the hard-earned money that you give us to spend wisely in this province. The previous government wasted millions of taxpayers’ dollars on partisan, self-promotional government advertising. We said at the time it was wrong and inappropriate, and with this legislation we’re taking action to ensure that that does not happen any more.

**1730**

We’re committed to restoring public faith in government and the fact that governments are there to represent the people of their communities. Certainly we want to make government more accountable, transparent and fiscally responsible. Those are really important messages

that we heard loud and clear in advance of the election when we travelled across the province. When we talked about what individuals in Etobicoke or Oakville, or wherever they were, wanted to hear from the government and wanted to see in their budget, it was: accountable, transparent and fiscally responsible.

It’s easy to be a critic, and sometimes in this Legislature we don’t really have a debate about what the good and bad things are in legislation. We hear that there are a lot of bad things. It’s very easy to be a critic; it’s very difficult to take leadership and to take ground-breaking steps.

This government is taking leadership. This proposed legislation is believed to be the first of its kind in North America. It would ensure that government advertising is appropriate and fiscally responsible. That leadership is being demonstrated by a government that I’m very proud to be part of. It’s something that I know those in my community in Etobicoke-Lakeshore wanted to see and were supportive of in advance of the election. It’s a commitment that we’re making, and it’s a commitment that we’re keeping.

I’m very proud to be speaking to this legislation today and to be in support of it.

**Mr John Wilkinson (Perth-Middlesex):** I hoped I could start with a brief indulgence. Earlier, one of my colleagues mentioned that one of the pages here was the third generation. I want to note that page Conner Hodes from Perth-Middlesex is the third son in his family to be a page in this place. Conner, we just want to appreciate the commitment of your family to this place.

**Mr Kormos:** His father or grandfather?

**Mr Wilkinson:** No, three sons. He’s number three.

**Mr Kormos:** Oh, three siblings.

**Mr Wilkinson:** Three siblings, yes. I’m one of four boys myself.

I’m proud to stand up and speak to Bill 25. Bill 25 has to do with choices, because that’s what we have here: choices in regard to money. How is the money raised from taxpayers and how is it distributed, not just back to taxpayers but to all Ontarians? There are people in this province who don’t pay taxes—people of small means; children don’t pay taxes. I’ve always felt that the government is supposed to be for all of the people, not just for the taxpayers. But it seems that we focus a lot of our attention on taxpayers, and I guess we should, because it’s all about choices, about the money that we take from people and how we distribute it back.

The question here is, should the government spend money to sell its message? I have a background in sales and in marketing and I know something about advertising. I know something about the fact that you need to make your message, and this bill has to do with marketing and advertising. What strikes me as odd is, is it acceptable for the government to spend the taxpayers’ money to promote itself in an obvious and partisan way? I say that because our party heard loudly and clearly, while we were forming our platform, that the good people of Ontario were sick and tired of having their

money wasted by a government that wanted to promote itself.

Where it really went over the line—it was almost like a tipping point. I remember driving down the 401, and there were always signs to say that the project was being done by the province of Ontario, usually in conjunction with the federal government. Do you remember, there used to be those blue signs? Maybe it was the colour—there was some comment earlier about the colour choices of government. There were those blue signs on the 400 series saying, “Your tax dollars at work. Premier Mike Harris.”

Do you know the thing that was really galling? When the former government decided to change leaders and Mr Harris decided it was time to get out of Dodge and when they decided to replace Mr Harris with Mr Eves, we actually paid those great public servants at the MTO to run around with little paintbrushes to all of those signs all across the 400-series highways of Ontario and, with a little can of paint, actually paint out “Premier Mike Harris” and paint in “Premier Ernie Eves.” Surely there are better things to spend the taxpayers’ money on, when we have challenges that we face so that our children will do better in school, when we have these lineups at hospitals—these problems that we have. Surely there are better things to spend the people’s money on. Are we talking about a little bit of money? No.

I was reading the Provincial Auditor’s reports, the last ones that were published prior to the last election. About three years before the last election the government spent about \$200 million or so on this type of advertising, and within two short years they were spending \$600 million on advertising promoting the government’s agenda.

It is important for the government to be able to speak to the people, and I think the bill takes that into account. The question is, should we have the shining mug of the Premier? Should we have the beautiful smile of all our cabinet ministers plastered on all these government pieces of advertising? I think that was the tipping point for so many people. I’m not a cabinet minister, and I don’t pretend that I ever will be a cabinet minister, but perhaps it happens something like this: The cabinet ministers had their staff come to them and say, “Minister, here’s a new advertising campaign for the ministry, and by the way, look at the top corner. Minister, there’s your picture.”

I tell the good people of Ontario that you really can’t get to this place without having a substantial ego. It’s probably the worst problem we have here, but it’s hard to have low self-esteem and get yourself elected. With all due respect to previous cabinet ministers, and this doesn’t really apply to our current cabinet ministers, but perhaps in the previous government civil servants were able to come and prepare these advertising campaigns that prominently featured the visage of the minister. The minister probably looked at that and said, “Boy, that’s a fine piece of advertising. I’m going to approve that.” Then, once that was approved, other things were approved.

It reminds me in the early years of the introduction of the Common Sense Revolution, as it was then called, of former Premier Harris. Mike Harris went on television to pitch the message, “Really, I’m going to cut your taxes. We’re going to hurt everybody but you, the person watching the ad, everybody but you. We’re not going to hurt you. We’re going to hurt all these other people—people on welfare; we’re going to hurt them.” He would go to them, and I remember the one where he was in a hockey arena: Mike Harris, just a regular hockey kind of guy. He used that as a backdrop to explain the government. Then I remember the other one where they had this kind of spider’s web of electrical connections showing, “Government is not very efficient. We’re going to yank all of that out and we’re just going to rewire it.”

But you know, if that’s the message, why did it require the Premier? Why was the government taking our taxpayers’ money to pitch that to us? I think it’s very simple to decide whether or not you should be in favour of this bill. I ask this simple question: Are any of the parties that are opposed to this bill honestly willing to go to the good taxpayers of Ontario and say, “You know what? Those Liberals kept their promise”—because we promised to do this—and passed Bill 25. We—the New Democratic Party or the Progressive Conservative Party—“think we need to repeal that bill because we think we should be able to take your tax dollars. We think we should be able to selflessly promote ourselves. We think if there’s a Premier who’s in our party, we should put our colour on it, we should put his or her picture on it and we should tell everybody what a good job we’re doing”?

If you’re doing a good job, do you really need to tell people? In business, that’s always the question. If you’re doing a good job, do you really need to tell people, “By the way, I’m doing a good job”? So here, when your case is somewhat iffy, it just strikes me that if we do this—what I understand is it’s international. I don’t think any democratic Legislature like ours has ever contemplated a piece of legislation that would ban partisan, government-paid advertising.

I have nothing against partisan advertising. If the Ontario Liberal Party wants to pay for an ad that features our leader, the honourable Premier, or our cabinet ministers, that’s absolutely fine; or the people who support us politically make donations and we buy advertising. There’s nothing wrong with that. The question is, should the taxpayer pay for it? Should money not be spent in our hospitals? Should money not be spent in our schools? Should environmental standards not be enforced? Should the people from the Ministry of Labour not investigate questions of impropriety? I don’t think so. I think that money needs to go there. I don’t think it needs to be going to these government ads.

**1740**

I challenge our opponents in this House to state today, on the record, that they are so vehemently opposed to Bill 25 that if they ever have the privilege of serving the good people of Ontario, that’s what they’re going to do,

they're going to repeal this bill and tell everybody straight up, "God, we think we should take your taxpayers' money and tell you what a wonderful job we're doing. As a matter of fact, we think we should spend not \$100 million, \$200 million, \$300 million, \$400 million, \$500 million, but \$600 million a year like we used to, and tell you what a wonderful job we're doing."

If we use that logical test, I challenge anybody in this House to actually stand in his or her place and vote against this bill. We have a chance to set a new and higher democratic standard for the whole world. There is no other jurisdiction that has come to this. To be fair, we've come to this because of the excesses of the previous government. If they hadn't tipped over the point, if they hadn't been so cynical about this process, if they hadn't been so plainly obvious, the regular person watching television, the person who opens up their mail, the person who reads their mail, wouldn't have said, "My God, I'm getting solicited by the people with my own money." That's why it's so offensive.

I'm hoping that all the members here will support Bill 25. I know that the members of my caucus, who are so happy to fulfill yet another election promise, are more than happy to do that. I urge all to support Bill 25. I challenge those who are opposed to it to stand in their place and tell the good people of Ontario that they plan to repeal this bill because they think they should be spending taxpayers' money selflessly promoting themselves.

**Ms Kathleen O. Wynne (Don Valley West):** I want to affirm a couple of the comments that have been made by my colleagues for Perth-Middlesex and Etobicoke-Lakeshore. First of all, this piece of legislation acknowledges the fact that governments must provide information to citizens. Governments must provide information on matters of public health, on urgent matters of public safety, on new laws. It's imperative, and there's nothing in this bill that would prohibit it. In fact, it makes it clear that that is what government is to do.

The bill, as my colleagues have said, really has been prompted by a government, particularly the previous government, that engaged in the dissemination of partisan, hollow advertising masquerading as information. That's really what my colleague from Etobicoke North was saying much earlier, that that's what prompted this legislation. So we're putting in place legislation that has prohibitions in it, that sets standards, and what we should be debating in this House with the opposition members is what the language of those standards should be.

As the member for Perth-Middlesex has said, there really isn't anybody who's going to argue that there shouldn't be some parameters around how governments can spend taxpayers' money on this kind of promotion of information. I have to say that in Don Valley West, when I was campaigning, this was one of the issues that was high on people's agendas in terms of irritation. People came to the door; they didn't like what they were getting through their door, and they were very happy to know that we were going to take a step that was going to change that, that we were going to be a confident, mature

government that didn't need to put the name of the Premier on road signs and could give people the information they need.

**Mr Kormos:** Listening to the comments, I was reflecting on what would be a genuinely non-partisan publication by the government. I was thinking if maybe the Minister of Public Safety were to produce a poster with Norm Gardner's image on it, saying, "Careful, man armed, known to shoot, not a particularly good shot, dangerous, in possession of 5,000 rounds of ammunition which he didn't pay for, has a sense of entitlement as a result of prestige jobs resulting from political connections and patronage appointments he's received such that he believes himself to be above the law."

He is a shooter. You know that. He shot the guy. Norm is not only a bad shot, he's not particularly bright. You've got to understand that, when you're trained in firearms, and police officers know this full well—

*Interjection.*

**Mr Kormos:** No, I'm talking about the sort of thing the government could publish that would be truly non-partisan and genuinely in the public interest.

So Norm shot the guy in the knee, and he tries to pretend, like in the cowboy movies—

**Mr Colle:** He shot him in the rear end, not the knee.

**Mr Kormos:** Well, he was aiming for the knee, and he got him in the butt.

*Interjection.*

**Mr Kormos:** That's right. So Norm is a bad shot, and he's also—well, he's a thief. He stole the rounds of ammunition, and we're not sure that he's discharged all of them. And we also know he got the gun.

So if we're just trying to look at an example of a publication that would pass a true test—not the test in the bill, which is a very weak test—for a genuine non-partisan ad, I think I would endorse this government releasing a poster that should be on milk cartons, saying, "Norm Gardner. Be careful. This man is armed, dangerous and in possession of thousands of rounds of ammunition that he did not pay for, high-powered weapons that he had no intention of paying for, until he got caught, and now is going to take the taxpayer to court to try to hold on to a job that he should be fired from."

**Mr Bob Delaney (Mississauga West):** Bill 25 is a bill that keeps government advertising about a government message, and not about a party message. I call Bill 25 the don't-even-think-about-it bill.

Government advertising wasn't always politically partisan. Government advertising began to become politically partisan because there was nothing wrong with it. You could get away with a politically partisan message.

So I'd like to talk about this bill not in terms of why we need to pass it, but what will happen once it is. This is a bill that reminds government members and those in cabinet that, as we get more and more involved with our jobs, there are some checks and balances, and your picture and your party message can't slide into your government message.

More importantly, Bill 25, once it's implemented, is a guide for staff, advertising agencies and creative types of what the boundaries are: What can you do? What can you not do? Bill 25 tells you what's OK. Bill 25 says, "This is how far you can go. This is where you cross the line." This set of independent checks and balances into how billions of dollars are all going to be spent is what's going to keep government advertising focused on a government message.

Government is about the responsible use of taxpayer resources. This is how to effect a sensible degree of responsibility into advertising. This is how to use advertising, which governments need. Governments need to have control over the content and the ability to repeat it. This is how to address legitimate public needs and separate government information from party politics. That's why Bill 25 is important. That's why I'm supporting it.

**Mr Jerry J. Ouellette (Oshawa):** I'm going to be speaking on this bill a little later on, so I'm probably going to keep my comments fairly short.

As I recall, growing up as a youth, the fishing regulations were something that I looked forward to every year. Quite frankly, it was something. I can remember Lyn McLeod's comments when she was the minister there. It was something to look forward to, to find out what that person who was leading the ministry was about. Now I don't see any of those comments there on behalf of the new minister. It's somewhat concerning that you don't get a sense of that, but that's your government's choice.

That's what this is all about. You're the government, and you'll come forward with your platforms. Quite frankly, if the people don't think they should spend money on those sorts of things, that it's not a priority—and we heard, from the last government and the previous government about how much everybody else spent on these issues—then just don't do it. Because we're going to have committee hearings on it. We've got it in the Legislature today. Just don't do it. Don't be moving ahead with things like this, when we could really be dealing with things such as health care and other aspects.

Thank you, and I look forward to my comments later.

**The Acting Speaker:** Response, the member for Perth-Middlesex.

**Mr Wilkinson:** I do want to thank my colleague the member from Etobicoke-Lakeshore for her comments, as we work together yet again on one of these bills. I always enjoy doing that. We had people who joined in on the debate, and I appreciate the comments, and I'm sure she does as well, from the member for Don Valley West, the member for Niagara Centre, my colleague from Mississauga West and also the member from Oshawa.

You know what I found interesting? I distinctly remember challenging the other parties to tell us whether or not they're willing to stand up, vote against this bill and go beyond that and say that in the next election, they will have a platform of repealing this bill. I didn't hear that. I heard the member from Niagara Centre talk about Norm Gardner. I don't remember Norm Gardner having

anything to do with this. The member from Oshawa spoke briefly on the issue, but I don't remember him taking up my challenge. I guess that kind of makes the point that if you're in Oshawa—one of the advantages of being from Perth-Middlesex is not really having to worry about Norm Gardner.

**1750**

*Interjection.*

**Mr Wilkinson:** We are. In my riding there are about 100,000 people, but we have at least half a million hogs—

**Mr Kormos:** And no Norm Gardner.

**Mr Wilkinson:** —and no Norm Gardner. We've got about 120,000 dairy cattle and no Norm Gardner. So every place is unique. I encourage the member to come out to Perth-Middlesex, the home of the Stratford Festival. I'm sure you'll enjoy it.

I think it makes our point that the opposition parties cannot stand in their place and say, "We think this bill is such a bad piece of legislation that it should be repealed." People are telling us that this is exactly what they want. We ran on this. We listened to people, we ran on it and we're delivering on our promise.

Actually, I'm sure the committee will enjoy taking this out to the people. I believe the people will reinforce the message to all of us in this House that they are tired of this and are looking forward to the passage of the bill.

**The Acting Speaker:** Further debate?

**Mr Ouellette:** I would like to speak to some of the aspects of Bill 25, and when you go through it, I would say to the government, don't back yourselves into a corner on some things. As I said before when I spoke briefly on this, in subsection 1(2) it says that for the purposes of this act, the deputy minister is in charge of this aspect of the legislation. I'm going to get into some of the details on that and why I have some concerns with that very specific aspect.

I happen to know there are quite a few outdoor writers from the United States and other areas. I've been trying in the past to bring outdoor writers to Ontario to experience the great things that happen. We looked at bringing a fishing editor up from the United States from one of the three big magazines. These individuals are read monthly by about eight million people, so when you get an article in a magazine like that, you get a response rate for interest of about 10%, which may not sound like a big response, but when you have eight million people reading a magazine, 10% is 800,000 responses to that. Where are you going to get a group or an organization to handle 800,000 responses? Is it e-mails, phone calls? What kind of inquiries? That's substantial.

Out of those 800,000 inquiries, you get about a 10% committal rate, which means you get about 80,000 individuals who are interested in dealing with that specific topic. This was from when I used to work in the industry before I made the decision to run politically. Trying to get out and promote the great things in the province of Ontario is very important. Out of those 80,000 individuals you would average about five overnight stays, and

when you get 80,000 having five overnight stays, that's 400,000 overnight stays by bringing an individual in.

The point I'm getting to with this is that, when you're dealing with subsection 1(2), I couldn't get the Ministry of Tourism at that time to think about the value of bringing these people in. "Send us a resumé on the individual," when they were the fishing editor for Field and Stream magazine. It was like pulling teeth. It was a bit of a deterrent for those individuals to come up and say, "Gerry, what's going on? Can't they pick up a magazine and see I'm the fishing editor for Field and Stream?" They wanted to go through the whole process.

**Mr Kormos:** And you were minister.

**Mr Ouellette:** No, this was before I was the minister.

What I did at that time was, rather than go through the bureaucracy and having—the point I'm making here is that subsection 1(2) gives the deputy minister the authority to make those decisions on how the funds are going to be spent, and in certain areas. When you get somebody like this coming forward who wants to do an article—it was on Pickle Lake. I organized the CAO from Pickle Lake to have a community group, their chamber of commerce, their business development, come forward and cover the costs of this individual to come up. Then I started negotiating to have them come up, and guess what? It's not an immediate process. They come up. They experience the experience they want, which in this case was fishing. It's a great spot, a great part of Ontario to promote. Then afterwards they write about it, which usually comes out the following year, and it's the year after that. So it's about a three-year process.

Some deputy ministers look at that and say, "Why would we invest in this? It's not going to be an immediate, quick response." Quite frankly, you get that number of people, predominantly Americans, and one of the ways it worked very well for this particular case was that they were trying to target the Midwest states, and this article was very much targeted toward drawing people from the Midwest states to Ontario. You have to look at the impact that piece of legislation and subsection 1(2) are going to have in situations like that when you're trying to bring people in to promote things for the province of Ontario.

Something else: I'm trying to get a question out of the Minister of Tourism, and hopefully he'll be able to take this to heart. The CRTC has made some changes in advertising requirements. What that means—for example, I know that a number of TV shows have gone off the air because a new interpretation says that if it's a Black and Decker drill and you're showing it on the air, and it says Black and Decker, that's classified as advertising time. So they've given them some of the options.

This dramatically impacts the film industry in Ontario. Now, according to the CRTC regulations, it's advertising. So if somebody wears a hat that says Shamano or is fishing with a Shamano shirt on, that shows it as advertising time. The same thing takes place with snow-

mobilizing. If they show that it's a Ski-Doo or a Polaris or whatever the case may be, that's classified as advertising time. The difficulty comes in in that a lot of the films to be shown this year were filmed last year. So we get into a lot of difficulty on promotion and advertising.

When I was minister, I was very adamant about promoting pride within the ministry and the great work it does. One of the things I tried to do that was initiated through the ministry—I allowed the deputy to make all the decisions on that case—was to look at various aspects of promoting the good things that were happening within the Ministry of Natural Resources at that time.

There were a lot of good things happening. We released 10 million fish annually throughout over 1,200 waterways in Ontario. I believe it's one of the great things that happened, but we need to make sure that people realize those things because their tax dollars do come in. In that case it was the special purpose account or the protection enhancement account that utilized that. But I know a number of other members whom I don't see here were questioning the fact that the ministry had me in. There was never any time at all that I was in any of those, to my knowledge. We do a lot of things in various aspects within the Ministry of Natural Resources. It was an area of personal pride that I had, as all ministers take a pride in their ministry. You try to promote the good things within that. When you move that into place and give it to the deputy minister, it kind of takes a bit of that authority away.

Some other aspects: In subparagraph i of paragraph 1 of subsection 6(1), to inform the public about proposed government policies, current programs and things—I'm looking at the clock, Mr Speaker, and I'm looking at you. I see the various things but there are a lot other aspects regarding this that should be addressed as well.

When a minister or the Premier makes an announcement of something very new that they're proud of, then they want to put up a plaque to say that it was the province of Ontario or the Premier or a cabinet minister who did that at the time.

I know when we were in government we weren't allowed, as cabinet ministers, to actually promote the good things we were doing, whether it was the Second Marsh or some other aspect within the ministry that we were moving forward on. I think there should be some allowance to make sure that the good things the ministry does are not classified as advertising. You have to pay for that; it says the Premier or the province of Ontario. There should be some areas, whether it's a new bridge, a new structure or something that they're very proud of, that they then need to move forward on.

Seeing you looking at the clock, Mr Speaker, I see we're near 6 of the clock on a Thursday, so I will end my remarks at this time.

**The Acting Speaker:** It being 6 of the clock, this House stands adjourned until Monday at 1:30 pm.

*The House adjourned at 1758.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Speaker / Président: Hon / L'hon Alvin Curling

Clerk / Greffier: Claude L. DesRosiers

Deputy Clerk / Sous-greffière: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergeant d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Hamilton East / Hamilton-Est	Vacant
Ancaster-Dundas- Flamborough-Aldershot	McMeekin, Ted (L)	Hamilton Mountain	<b>Bountrogianni, Hon / L'hon Marie</b> (L) Minister of Children and Youth Services, Minister of Citizenship and Immigration / ministre des Services à l'enfance et à la jeunesse, ministre des Affaires civiques et de l'Immigration
Barrie-Simcoe-Bradford			
Beaches-East York / Beaches-York-Est	<b>Tascona, Joseph N.</b> (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative	Hamilton West / Hamilton-Ouest	<b>Marsales, Judy</b> (L)
Bramalea-Gore-Malton- Springdale	Prue, Michael (ND)	Hastings-Frontenac-Lennox and Addington	
Brampton Centre / Brampton-Centre	Kular, Kuldip (L)	Huron-Bruce	<b>Dombrowsky, Hon / L'hon Leona</b> (L) Minister of the Environment / ministre de l'Environnement
Brampton West-Mississauga / Brampton-Ouest-Mississauga	Jeffrey, Linda (L)	Kenora-Rainy River	Mitchell, Carol (L)
Brant	Dhillon, Vic (L)	Kingston and the Islands / Kingston et les îles	Hampton, Howard (ND)
Bruce-Grey-Owen Sound	Levac, Dave (L)	Kitchener Centre / Kitchener-Centre	<b>Gerretsen, Hon / L'hon John</b> (L) Minister of Municipal Affairs and Housing, minister responsible for seniors / ministre des Affaires municipales et du Logement, ministre délégué aux Affaires des personnes âgées
Burlington	Murdoch, Bill (PC)	Kitchener-Waterloo	Milloy, John (L)
Cambridge	Jackson, Cameron (PC)	Lambton-Kent-Middlesex	
Chatham-Kent Essex	Martiniuk, Gerry (PC)	Lanark-Carleton	
Davenport	Hoy, Pat (L)	Leeds-Grenville	
Don Valley East / Don Valley-Est	Ruprecht, Tony (L)	London North Centre / London-Centre-Nord	
	<b>Caplan, Hon / L'hon David</b> (L) Minister of Public Infrastructure Renewal, Deputy House Leader / ministre du Renouvellement de l'infrastructure publique, leader parlementaire adjoint	London West / London-Ouest	
	Wynne, Kathleen O. (L)	London-Fanshawe	
Don Valley West / Don Valley-Ouest	Eves, Ernie (PC) Leader of the opposition / chef de l'opposition	Markham	
Dufferin-Peel-Wellington-Grey	O'Toole, John (PC)	Mississauga Centre / Mississauga-Centre	
Durham	Colle, Mike (L)	Mississauga East / Mississauga-Est	<b>Bentley, Hon / L'hon Christopher</b> (L) Minister of Labour / ministre du Travail
Eglington-Lawrence	<b>Peters, Hon / L'hon Steve</b> (L) Minister of Agriculture and Food / ministre de l'Agriculture et de l'Alimentation	Mississauga South / Mississauga-Sud	Ramal, Khalil (L)
Elgin-Middlesex-London	Hudak, Tim (PC)	Mississauga West / Mississauga-Ouest	Wong, Tony C. (L)
Erie-Lincoln	<b>Crozier, Bruce</b> (L) Deputy Speaker, Chair of the Committee of the Whole House / Vice-Président, Président du Comité plénier de l'Assemblée législative	Nepean-Carleton	<b>Takhar, Hon / L'hon Harinder S.</b> (L) Minister of Transportation / ministre des Transports
Essex	Cansfield, Donna H. (L)	Niagara Centre / Niagara-Centre	Fonseca, Peter (L)
Etobicoke Centre / Etobicoke-Centre	Qaadri, Shafiq (L)	Niagara Falls	Peterson, Tim (L)
Etobicoke North / Etobicoke-Nord		Nickel Belt	
Etobicoke-Lakeshore	Broten, Laurel C. (L)	Nipissing	
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)	Northumberland	
Guelph-Wellington	Sandals, Liz (L)	Oak Ridges	
Haldimand-Norfolk-Brant	Barrett, Toby (PC)	Oakville	
Haliburton-Victoria-Brock	Scott, Laurie (PC)	Oshawa	
Halton	Chudleigh, Ted (PC)		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Ottawa Centre / Ottawa-Centre	Patten, Richard (L)	Stormont-Dundas- Charlottenburgh	Brownell, Jim (L)
Ottawa South / Ottawa-Sud	<b>McGuinty, Hon / L'hon Dalton (L)</b> Premier and President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil exécutif, ministre des Affaires intergouvernementales	Sudbury	<b>Bartolucci, Hon / L'hon Rick (L)</b> Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Ottawa West-Nepean / Ottawa-Ouest-Nepean	<b>Watson, Hon / L'hon Jim (L)</b> Minister of Consumer and Business Services / ministre des Services aux consommateurs et aux entreprises	Thornhill	Racco, Mario G. (L)
Ottawa-Orléans	McNeely, Phil (L)	Thunder Bay-Atikokan	Mauro, Bill (L)
Ottawa-Vanier	<b>Meilleur, Hon / L'hon Madeleine (L)</b> Minister of Culture, minister responsible for francophone affairs / ministre de la Culture, ministre délégué aux Affaires francophones	Thunder Bay-Superior	Gravelle, Michael (L)
Oxford Parkdale-High Park	Hardeman, Ernie (PC)	North / Thunder Bay-Superior-Nord	
Parry Sound-Muskoka	<b>Kennedy, Hon / L'hon Gerard (L)</b> Minister of Education / ministre de l'Éducation	Timiskaming-Cochrane	<b>Ramsay, Hon / L'hon David (L)</b> Minister of Natural Resources / ministre des Richesses naturelles
Perth-Middlesex	Miller, Norm (PC)	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Peterborough	Wilkinson, John (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	
Pickering-Ajax-Uxbridge	Leal, Jeff (L)	Timmins-James Bay / Timmins-Baie James	<b>Smitherman, Hon / L'hon George (L)</b> Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Prince Edward-Hastings	Arthurs, Wayne (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Churley, Marilyn (ND)
Renfrew-Nipissing-Pembroke	Parsons, Ernie (L)	Timmins-James Bay / Timmins-Baie James	Marchese, Rosario (ND)
Sarnia-Lambton	Yakabuski, John (PC)	Waterloo-Wellington	<b>Sorbara, Hon / L'hon Greg (L)</b> Minister of Finance / ministre des Finances
Sault Ste Marie	Di Cocco, Caroline (L)	Whitby-Ajax	Arnott, Ted (PC) First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
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Scarborough East / Scarborough-Est	Duguid, Brad (L)	Windsor West / Windsor-Ouest	Zimmer, David (L)
Scarborough Southwest / Scarborough-Sud-Ouest	<b>Chambers, Hon / L'hon Mary Anne V. (L)</b> Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités	Windsor-St Clair	<b>Pupatello, Hon / L'hon Sandra (L)</b> Minister of Community and Social Services, minister responsible for women's issues / ministre des Services sociaux et communautaires, ministre déléguée à la Condition féminine
Scarborough-Agincourt	Berardinetti, Lorenzo (L)	Windsor-St Clair	<b>Duncan, Hon / L'hon Dwight (L)</b> Minister of Energy, Chair of Cabinet, Government House Leader / ministre de l'Énergie, président du Conseil des ministres, leader parlementaire du gouvernement
Scarborough-Rouge River	<b>Phillips, Hon / L'hon Gerry (L)</b> Chair of the Management Board of Cabinet / président du Conseil de gestion du gouvernement	York Centre / York-Centre	<b>Kwinter, Hon / L'hon Monte (L)</b> Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
Simcoe North / Simcoe-Nord	<b>Curling, Hon / L'hon Alvin (L)</b> Speaker / Président	York North / York-Nord	Munro, Julia (PC)
Simcoe-Grey	Dunlop, Garfield (PC)	York South-Weston / York-Sud-Weston	<b>Cordiano, Hon / L'hon Joseph (L)</b> Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
St Catharines	Wilson, Jim (PC)	York West / York-Ouest	Sergio, Mario (L)
St Paul's	<b>Bradley, Hon / L'hon James J. (L)</b> Minister of Tourism and Recreation / ministre du Tourisme et des Loisirs		
Stoney Creek	<b>Bryant, Hon / L'hon Michael (L)</b> Attorney General, minister responsible for native affairs, minister responsible for democratic renewal / procureur général, ministre délégué aux Affaires autochtones, ministre responsable du Renouveau démocratique		
	Mossop, Jennifer F. (L)		

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premiers et derniers numéros de chaque session et le premier lundi de chaque mois.

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Mr Berardinetti .....	<b>Member's wedding anniversary</b> Mr Colle .....
Mr Duguid .....	<b>Business of the House</b> Mr Caplan .....
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Mr Milloy .....	
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No. 45

Nº 45

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

Monday 10 May 2004

Lundi 10 mai 2004

Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 10 May 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 10 mai 2004

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

BOB BALTIN

**Mr Garfield Dunlop (Simcoe North):** This morning at Rideau Hall, the Governor General invested a total of 17 Ontario recipients into the Order of Merit of the Police Forces. The order was created in October 2000 to recognize members and employees of Canadian police services whose contributions extend beyond protection of the community. I am familiar with many of the 17 Ontario recipients and heartily congratulate each and every one of them for receiving the badge of honour. I regret that I only have time in this statement to focus on one of the recipients.

Constable Bob Baltin was recognized this morning for his outstanding leadership as president of the Police Association of Ontario and for his active role in the creation of the Canadian Professional Police Association. Fortunately, I have come to know Bob quite well through the process of consulting on and preparing my two private member's bills that help police. I always value and appreciate Bob's input.

I'm personally very proud of Bob's achievement, so I wanted to tell Ontarians a little more about what he has accomplished for policing. Bob has served for 24 years with the Peel Regional Police Service. He has worked with distinction in the uniformed division and as a detective in the morality, auto theft and intelligence divisions. Bob was elected president of the Police Association of Ontario in 2001. He was so highly respected by the association's membership that he was acclaimed president for another two-year term in August 2003. Under Bob's leadership, the Police Association of Ontario has grown from 13,000 to 22,000 members and has embraced community safety as a priority with the new model, Preserving Safe Communities.

Again, I congratulate Bob for a well-deserved award.

### MAYOR'S YOUTH ADVISORY COMMITTEE

**Mr Peter Fonseca (Mississauga East):** It is with great pride that I take this time to discuss one of the most recognizable youth organizations within Mississauga, the

Mayor's Youth Advisory Committee. In 1982, Hazel McCallion founded the Mayor's Youth Advisory Committee as an organization that would meet periodically to discuss youth issues within the Mississauga community. Throughout the past 22 years, the organization has continued to grow and is now one of the primary youth volunteer movements within Mississauga.

Beyond offering a political voice for youth as well as volunteer opportunities, the Mayor's Youth Advisory Committee organizes Mississauga Youth Week, which celebrated its fifth year on May 1 to 8. With various sports tournaments, a leadership conference, an essay competition, a park cleanup and a city-wide public-transportation-only scavenger hunt, the week was filled with numerous opportunities for the youth of Mississauga. With their promotion of an active lifestyle, education, environmentalism and energy conservation, it is clear that this group embraces the pillars of this government's message.

Mississauga MPPs were active as well, participating in Mississauga Youth Week, in order to promote this great community group in any way they could. I urge all members to become involved in youth initiatives in their communities, because building stronger communities through youth is an important part of changing the way our government works for all Ontario.

### SARAH JANE WILLIAMS HERITAGE CENTRE

**Mr John O'Toole (Durham):** I'm proud to announce the official opening of Ontario's newest museum. A couple of Saturdays ago, on April 3, the Clarington Museums and Archives opened the Sarah Jane Williams Heritage Centre in Bowmanville. Our new heritage centre is in the former public library building and gives more space to displays and treasures from our community's past. These include century-old artefacts from the Dominion Organ and Piano factory, plus a doll and toy collection that is one of the largest in Canada.

I would like to congratulate the museum's chair, Keith Isnor, and his board of directors. I'd also like to pay tribute to the dedicated museum volunteers and staff, including administrator Martha Rutherford Conrad as well as curator Charles Taws. As a former council representative on the museum board, I know how hard the whole community works to support the museum.

Sarah Jane Williams was a true friend to the Bowmanville Museum. Her generous donation in 1961 founded the museum. However, Mrs Williams and her

husband, Dr L. B. Williams, had a lifelong passion for preserving local history and recording the sites of Durham county. The late George James, owner and editor of the Canadian Statesman newspaper, also supported the preservation of local history. Gloria Roth, granddaughter of Sarah Jane Williams, brought greetings from the family and assisted in the dedication. Congratulations also to Al Storie and Donald Air, who received recognition awards for organizing the museum fun run.

With the opening of the Sarah Jane Williams Centre, the museum is making history on its own. I would like to invite my colleagues, and everyone, to visit Clarington and tour our outstanding museums.

#### WORLD ASTHMA DAY

**Mr Shafiq Qaadri (Etobicoke North):** Last Tuesday was World Asthma Day. As a legislator, and as a physician who has dealt extensively with this condition, I rise to draw attention to the importance of combatting it. This condition afflicts 12% of children and 8% of adults worldwide. Something like 300 million people of all ages and ethnic backgrounds, on a worldwide basis, are suffering from this condition. The global burden of asthma on the health care system, and of course on patients and their families, is increasing. In some countries, the prevalence is rising by about 20% to 40% every 10 years. Asthma is the number one reason for childhood hospitalization in Ontario.

The Ontario Lung Association is proud to be a partner with the Ontario government's asthma plan of action. The association's Asthma Action Helpline provides those with asthma and their caregivers access to health professionals who offer information and advice on managing this condition. This association also provides continuing medical education to health professionals in Ontario to ensure they are aware of the guidelines for optimal treatment and management.

On behalf of the people of Ontario, and on behalf of all the members of this Legislature, I would like to thank the Ontario Lung Association and their many colleagues, volunteers and staff for the time, effort, attention and expertise they bring in dealing with this condition.

#### MUNICIPAL RESTRUCTURING

**Mr Michael Prue (Beaches-East York):** On May 15, this very weekend, there will be a large gathering in Rockton, Ontario, at the World's Fairground. That's on Highway 8, just north of Highway 5—about 15 kilometres. It is a meeting of people from across this province who are upset about amalgamation of their cities and towns by the previous government, and who are upset that the present government is not listening to their pleas.

There will be citizens there from Kawartha Lakes, Hamilton, Stoney Creek, Ancaster, Toronto, Ottawa and Kitchener.

**Mr John O'Toole (Durham):** Hamilton East.

**Mr Prue:** Maybe Hamilton East as well.

There will be speakers: Dave Braden, a local councillor from Stoney Creek, and Margaret McCarthy from Hamilton. There will be writers: Ken Bosveld and Joe Cooper. There will be politicians from the New Democratic Party, the Conservative Party and the Green Party to address the crowd, but nary a Liberal will dare show their face in that location. There were no Liberals because they have violated the trust of the people of Kawartha Lakes by ignoring their democratic referendum. They have ignored that, and they have further hidden the ministerial response to their many petitions that have been presented in this House.

We invite people to show up at the World's Fairground on Highway 8, 15 miles north of Highway 5. For further information, please contact Dennis Noonan at 519-624-1755. Come on out Saturday. See what democracy is all about.

1340

#### INTERNATIONAL CHILD AND YOUTH CARE WORKERS' MONTH

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** May is International Child and Youth Care Workers' Month. Around the globe, nations are celebrating the unique contribution of child and youth care workers to the lives of vulnerable children and their families. Thousands of these hard-working professionals give of themselves on a daily basis to better the lives and futures of children and youth in this province. I would like to take this opportunity to thank all of these people who have chosen a career that requires such a special level of commitment to their work and to their communities across the province.

Child and youth care workers promote the development of children, youth and their families in diverse settings, including mental health centres, school programs and youth detention facilities. The work these people undertake is challenging and demanding. Over 60,000 people throughout the country work daily with children and youth. Often they work under extremely difficult conditions, with little remuneration or recognition. Their efforts benefit every one of us in Ontario by helping to build stronger, more capable youth, families and communities.

International Child and Youth Care Workers' Month gives us all an opportunity to recognize and celebrate their hard work and dedication. Let us join in celebrating their commitment and achievements and in recognizing their contribution to helping children, youth and families all across Ontario.

#### HIGHWAY 7

**Mr Norman W. Sterling (Lanark-Carleton):** On the day this government was sworn in, I handed the ministers of environment and transportation letters urging them to proceed with the four-laning of Highway 7 as quickly as

possible. As Minister of Transportation, I worked very hard to ensure that this project remained in the forefront. I earmarked an \$85-million investment and committed to completing the project by 2007 or sooner.

Area residents who travel this highway between 417 and Carleton Place know how critical this four-laning work is to saving lives and improving traffic flow. There is not a person in my part of the province who doesn't know someone who has been injured or killed in a collision along this section of highway. Last night another life was lost and two people were injured in a head-on collision near the planned first stage of construction.

My constituents and I appreciate the Minister of the Environment's decision last week, clearing the way for the beginning of construction. I rise today to urge the Minister of Transportation and the government to act quickly. No one knows for certain if last night's tragic events could have been avoided. However, now is the time to ensure that no more lives will be lost in the future. On behalf of my constituents and residents throughout eastern Ontario, I urge the government to proceed post-haste with the construction on this killer strip of highway.

#### WORLD LUPUS DAY

**Mr Kim Craitor (Niagara Falls):** Today is World Lupus Day, and I have been asked by my local lupus organization in Niagara to share the following proclamation with the people of Ontario:

"Whereas lupus is an autoimmune disease in which the immune system attacks the body's own healthy cells, causing tissue damage, organ failure and, in some cases, death;

"Whereas more than five million people suffer worldwide from the devastating effects of this disease and each year over 100,000 men, women and children are newly diagnosed with lupus, the majority of whom are women of childbearing age;

"Whereas medical research efforts into lupus and the discovery of safer, more effective treatments for lupus patients are underfunded in comparison with diseases of comparable magnitude and severity;

"Whereas many physicians worldwide are unaware of the symptoms and health effects of lupus, causing people with lupus to suffer for many years before they obtain a correct diagnosis and medical treatment;

"Whereas there is an urgent need to increase awareness in communities worldwide of the debilitating impact of lupus;

"Be it resolved that the World Health Organization recognizes and declares May 10, 2004, as World Lupus Day and joins the lupus organizations around the globe in calling for an increase in public and private sector funding for medical research on lupus, targeted education programs for health professionals, patients and the public, and worldwide recognition of lupus as a significant public health issue."

World Lupus Day is announced in conjunction with the seventh International Lupus Congress in New York City, held to advance the science on lupus.

#### BY-ELECTION

**Mr Tim Hudak (Erie-Lincoln):** I was in Hamilton just a few days ago and gathered up some interesting pieces of literature. I went through the local Liberal candidate's literature, three different pieces, and guess whose picture was totally absent? Dalton McGuinty's. There was not a single picture of Dalton McGuinty in local Liberal advertising. You had to have a microscope to even find his name anywhere in the documents—only one reference in three pieces of literature.

I cannot blame the local Liberal candidate, because when people see Dalton McGuinty's picture, what do they think? Twenty major broken promises higher taxes, higher hydro rates, multi-year deficits, and that old-school politics where you say one thing before the election and do something entirely different once you get the keys to the Premier's limousine.

Tara Crugnale, a prominent local business person, is proudly carrying our banner. She is proudly and prominently standing with our leader, Ernie Eves.

Dalton McGuinty, the Premier: disappeared, hidden, gone, not to be seen; Dalton McGuinty, the invisible man of the Hamilton by-election.

**Mr Joseph N. Tascona (Barrie-Simcoe-Brampton):** On a point of order, Mr Speaker: I rise on a point of order pursuant to standing order 97(d). The 24 sitting days are up for my order paper question of March 23, 2004, to the Minister of Education on the status of the new elementary school in the Georgian Glen subdivision that he promised in my Barrie riding. The minister is in contravention of the standing order, he is over the deadline, and he's not the only minister in this position.

**The Speaker (Hon Alvin Curling):** I have checked our record and see that the answer to your question is due today. Seeing that it's not the end of the day, I would say you don't have a point of order.

#### INTRODUCTION OF BILLS

##### KEVIN'S LAW (CHILD AND FAMILY SERVICES STATUTE LAW AMENDMENT), 2004

##### LOI KEVIN DE 2004 MODIFIANT DES LOIS EN CE QUI CONCERNE LES SERVICES À L'ENFANCE ET À LA FAMILLE

Mr Jackson moved first reading of the following bill:

Bill 78, An Act to amend the Child and Family Services Act and the Coroners Act to better protect the children of Ontario / Projet de loi 78, Loi modifiant la Loi sur les services à l'enfance et à la famille et la Loi sur les coroners pour mieux protéger les enfants de l'Ontario.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

1350

## ONTARIO WORKERS' MEMORIAL ACT, 2004

LOI DE 2004

### SUR LE MONUMENT COMMÉMORATIF DES TRAVAILLEURS DE L'ONTARIO

Mr Ramal moved first reading of the following bill:

Bill 79. An Act to establish the Ontario Workers' Memorial / Projet de loi 79, Loi visant à ériger le monument commémoratif en hommage aux travailleurs de l'Ontario.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Khalil Ramal (London-Fanshawe):** I am pleased to introduce my private member's bill to the House. Every year, hundreds of workers die on the job or from diseases they catch on the job. According to the WSIB, in 2003, 552 workers were killed; in 2002, 596 died; and in 2001, 453 lost their lives.

There are memorials to workers killed or injured all over this province. There is one in London at the Tolpuddle co-op on Adelaide Street, but there is not one dedicated to all workers killed or injured in Ontario. This bill would provide for such a memorial, here or nearby the legislative area.

I am looking forward to working with my colleagues here, and hopefully they will support my bill.

## MOTIONS

### COMMITTEE Sittings

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** Mr Speaker, I seek unanimous consent to put forward a motion without notice regarding the standing committee on general government and the standing committee on the Legislative Assembly. I believe we have agreement by the opposition parties to do this.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent for the House leader to put forward this motion? Agreed.

**Hon Mr Duncan:** I move that the standing committee on general government be authorized to meet on Friday, May 14, and Friday, May 21, in addition to its regularly scheduled meeting times to consider Bill 27, An Act to establish a greenbelt study area and to amend the Oak Ridges Moraine Conservation Act, 2001, and that the standing committee on the Legislative Assembly be authorized to meet outside of its regularly scheduled meetings on Thursday, May 20, Friday, May 21, and Thursday, June 3, to consider Bill 49, An Act to prevent

the disposal of waste at the Adams Mine site and to amend the Environmental Protection Act in respect of the disposal of waste in lakes.

**The Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour of the motion, say "aye." All those against? I think the ayes have it.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### PUBLIC TRANSPORTATION

**Hon Harinder S. Takhar (Minister of Transportation):** I rise in the House today to reinforce our government's commitment to public transit in Ontario. Improved public transit is at the heart of our vision for strong and liveable communities. This government has a plan to ensure that seamless, safe, reliable and affordable public transit systems are available to Ontarians.

Today, Ontario's 65 transit systems together move 680 million passengers each year. GO Transit carries 44 million riders annually. The TTC, Canada's largest transit system, carries over one million passengers daily.

The average car in Toronto usually carries one person. A single GO bus would replace 50 cars, and one GO train would replace 1,400 cars. Only by investing in transit can we reduce the congestion that affects the economy and robs Ontarians of quality family time. Investing in transit will improve air quality, conserve energy and reduce greenhouse gas emissions.

A strong public transit system also benefits business and helps local, provincial and national economies. Industries want a more effective transit system to support the efficient movement of people and goods. The strategic investments this government is making in transit will increase service, increase access and ultimately make transit a more desirable alternative.

Our vision includes expanding existing transit lines and adding new ones; adding more parking spaces at transit stations to get people on to the system as conveniently as possible; seamless transportation, so that GO Transit, the TTC, rapid transit and city buses all connect; and the new integrated ticket will mean commuters will be able to travel across the GTA, from one transit system to the next, with one card.

Just last week, the Honourable David Caplan joined me, along with our federal colleagues and MPPs Bob Delaney and Tim Peterson, in announcing \$1 billion in GO Transit improvements in the greater Toronto area. These 12 projects will have the same impact as building a new Highway 401 through Toronto.

It is worth noting that, over the next 30 years, each person who takes GO instead of driving their car will save three tonnes of greenhouse gas emissions yearly.

Last week, I was joined by MPPs Tony Wong and Mario Racco as we announced funding for phase one of

York region's new rapid transit system. We were joined there as well by the member from Oak Ridges, Frank Klees.

In March, the province, the city of Toronto and the federal government made history with a \$1-billion funding agreement to keep the TTC in a state of good repair. This is possible, thanks to a new spirit of co-operation between all levels of government. For the first time in Ontario history, governments are working together to improve public transit.

These transit agreements are an investment in the future. We are investing in a better quality of life by getting people where they need to go faster. In turn, this will help to keep the economy moving by freeing up space on our highways and roads to get our products to market in the US efficiently and effectively.

We will continue to consider innovative ways to make transit a better, more compelling choice for commuters. We will ask everyone to do their part and take public transit whenever possible. Start by leaving the car at home once or twice a week and take public transit to the movies, out to dinner or to and from work.

This government is building a better, more reliable transit system. In connection with our road safety improvements, investments in highways and action on strategic border crossings, our government is committed to making Ontario's transportation system one of the best.

**1400**

#### The Speaker (Hon Alvin Curling): Responses?

**Mr Frank Klees (Oak Ridges):** I am pleased to respond as the transportation critic for the official opposition. I find myself in some conflict, because on a personal level I really do like the Minister of Transportation, but when it comes to the reality, over the last number of weeks, every time I ask the minister a question, he responds by saying I'm simply looking for publicity. Well, the minister will know, and you will know, Speaker, that what this announcement is really all about is seeking publicity. The minister knows that the announcement he made this past weekend is, in fact, a reannouncement—a particularly extreme example—of what we announced.

I was present, as the member indicated, in York region. The announcement that was made in York region was a \$50-million commitment on the part of the provincial government and a \$50-million commitment on the part of the federal government. Minister Collenette and I made that identical announcement with regard to the other, and that, by the way, was in August of last year. So I suggest that the minister is probably responding to a demand or a request from his Liberal federal colleagues, who need some ink at this point in time, and is simply providing a platform for them to make their political announcement.

With regard to the exact announcement related to GO, this again is a duplication; I looked at the words. Minister, you could have at least had them rewritten. The difference is that you make reference to consultation.

This government hails their consultation, and yet Mayor McCallion had some very harsh words for the minister after he signed this agreement and made this commitment, and the harsh words were: "Why didn't you consult with the municipalities so that we can at least have some input as to where our contribution is going to come from?" No, this government simply made a reannouncement.

They make reference to a vision. It is in fact re-vision. The fact of the matter is that the policy that was announced here was the policy that we announced.

Having said that, this government has broken every single promise they made to the people of this province in the election campaign. At the very least, I hail the fact that they are attempting to keep our promises to the people of this province. On that count, I give them credit. The fact is that the people of this province are becoming more and more cynical. The people of York region knew that we made this announcement of \$50 million to a very important transit program in August of last year. The funds were committed. Now this staging of a recommitment simply adds to the cynicism that people are holding this government in. Broken promises; this government has zero credibility.

I might say that it's interesting that this particular announcement was absolutely void of reference to the important contributions that should be made to other parts of the province. I'm going to allow my colleague to speak to that issue.

**Mr Norman W. Sterling (Lanark-Carleton):** Between the years 1995 and 2003, the province of Ontario—the previous government—invested over \$300 million in transit in the city of Ottawa. Mr Speaker, I like Toronto and I like to see Toronto helped out with regard to their transit, but there are other areas of this province that have problems with their transit systems.

The previous government helped out other municipalities with regard to their transit systems. We put, as I said, \$300 million into public transit, and \$300 million into highways in eastern Ontario. What have we heard from this government with regard to transit for Ottawa? Nothing. We have received nothing in Ottawa with regard to public transit.

It's about time this government stopped thinking that the Ontario border stops at Ajax and included all of Ontario, including eastern Ontario.

**Mr Michael Prue (Beaches-East York):** Here again we have a commitment, or a so-called commitment, to public transit in Ontario. When you first open up the paper, when you first see the minister, when you first see the assembled politicians standing on a platform, you have to think, "My God, there's finally some money coming for public transit." But it doesn't take very long to read the fine print, and when you read the fine print, you realize this is nothing more than another government reannouncement.

In fact, it's a reannouncement not from this government but from the previous government. It is nothing more than a plan rehashing the Tory plan of June 6, 2003.

It is a plan that is now some 11 months old, a plan that was never put into action, a plan where no money was spent and a plan that the Liberals are now embracing in their new guise as Conservatives with red ties.

We have seen this announcement before. When it came around in its first iteration, it was announced by Hazel McCallion, the ebullient and wonderful mayor of Mississauga, who was on the Ontario Smart Growth panel. Hazel McCallion had the honour at that time, 11 months ago, to announce \$645 million for GO Transit—money that was never, ever spent. She made an announcement about all the other monies that would be spent on public transit in the greater Toronto area—monies that were never spent.

Only two things have changed from that day. The first one is that the federal Liberals are now caught up in this. Can one possibly be cynical enough to say that this has something to do with the election that's going to be called in a week or two? I am not going to be that cynical, but the public just may be. Are they looking, because of the dismal prospects they have, those federal Liberals here in Ontario, having done so many things badly, having tried to cover up so many problems of their own making?

The second problem is an even bigger one, in that this minister forgot to tell the mayors of Ontario how they were going to be involved in this plan. The last time, at least the Conservatives had the wherewithal to invite Hazel McCallion and to involve her and let her be the spokesperson. This time, although the Liberals invited Hazel McCallion, she was very blunt that this is not a tripartite agreement, that this is not something she was consulted about, nor were the other 20 or so mayors of the greater Toronto area ever consulted.

Mayor Miller, for his part, said he was absolutely shocked. Mayor McCallion, of course, being erudite and able to put words immediately, said that although the municipalities were the so-called children of the province, they were not even treated as children.

In fact, the newspapers went on to quote some of what went on that day. I'm quoting here from Alan Findlay of the Toronto Sun, that good union newspaper. Here's what they said in the Saturday Sun, May 8: "He"—talking about Miller—"echoed McCallion's earlier remarks and said the city simply doesn't have the \$100 million to chip in over 10 years, as suggested by Ontario transportation minister Harinder Takhar. 'Although we are obviously happy there is money coming to GO Transit, we're concerned because any further obligation on us we won't be able to meet,' Miller said."

"As the federal and provincial politicians shook hands and signed the deal in front of the cameras, McCallion (who actually emceed the event) took back the microphone and told reporters the agreement is actually worth less than \$800 million.

"There's one party missing from the table this morning signing the agreement, and that's the local municipalities," she said."

Here we have this great plan, and I want to tell you it's not a great plan; it's a Tory plan for which the money

was never spent. But there was nothing in here about the Liberal plan. There was nothing in here about the two cents on the gas tax that was promised in the last election—something that would really make a difference to the city of Toronto and to Mississauga. Nothing at all was said about the two cents on the gas tax. Nothing at all was said about the powers of the municipalities and how the municipalities would be given power to make sure they could solve their own transit and internal problems. Last but not least, nothing was in here at all, and certainly the actions were contrary to the consultation and the new era you promised to municipalities that you would consult with them. You did not, and the plan, quite frankly, is not worth the paper it's written on.

**Ms Marilyn Churley (Toronto-Danforth):** On a point of order, Speaker: I would like to ask for unanimous consent that this House pass my notice of motion number 18, which calls for the government to fund municipalities and property owners to aid them in complying with provincial water quality regulations. Do I have unanimous consent to pass that resolution?

**The Speaker:** Do we have unanimous consent? I heard a no.

1410

## ORAL QUESTIONS

### TAXATION

**Mr Tim Hudak (Erie-Lincoln):** My question is to the Premier. Last September there wasn't a promise that you wouldn't make. Today there's not a promise that you're not going to break.

Last week it was confirmed that you are going to commit the mother of all broken promises: You are going to rip up the Taxpayer Protection Act that you signed with great fanfare last fall. Do you know what this means? It means higher taxes and runaway multi-year deficits. This week in your spin you're calling it "closing tax loopholes." Well, it smells and looks to me like a coming tax hike.

Tax exemptions or incentives in the province exist for children's clothing, investments in new mines in northern Ontario and the thousands of jobs in Ontario's film industry. Is this what you mean by tax loopholes? Are these now on the McGuinty hit list?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I appreciate the member's continuing interest in the contents of the budget. I'm not prepared to speak to any of the details in that document, which we very much look forward to introducing in this Legislature. But I can say is that we have a number of overriding objectives. One of those is to breathe greater life into health care in Ontario, another is to revitalize public education and of course we want to put this government on a sound financial footing, unlike what the previous government did when they saddled us and, more importantly, the people of Ontario with a \$5.6-billion deficit.

**The Speaker:** Supplementary.

**Mr Frank Klees (Oak Ridges):** Every time the Premier stands in his place and refuses to answer a question, or simply attacks our government, the people of this province are becoming more and more cynical about whether or not they can trust this government or this Premier for anything.

The Premier will know that he signed a pledge not to increase taxes. We now have seniors in this province who are experiencing an increase in property taxes because this government cancelled the property tax credit that they were expecting. Seniors, as they're opening up their electricity bills this month, are experiencing increased costs of their electricity. Call it what you want, seniors are seeing this government burden them with additional costs.

I'd like to ask the Premier why he can't stand in his place, or will he do so today, and simply say to the people of Ontario, "I told you something that was not true. I told you that I would not increase taxes and I am." Will he stand in his place and at least admit that to the people of Ontario?

**Hon Mr McGuinty:** I think what seniors and other Ontarians are particularly disappointed about is the fact that when the previous government introduced the 2003 Ontario budget over at the Magna auto parts centre, they indicated that the budget was balanced. And then on numerous occasions leading up to the campaign, in the thick of the campaign itself and even during the leaders' debate, then-Premier Ernie Eves reassured the people of Ontario that the budget was balanced.

In fact, it is not balanced. We are coming to grips with this reality. We're going to provide a wonderful budget from a seniors' perspective—I can tell you that much—and we intend to put special emphasis on health care, education and bringing to ground this runaway deficit that was left to us by the previous government.

**Mr Klees:** Those seniors, who are going to be hit with increased costs as a result of their electricity and property taxes, are going to have to do what this government refused to do. They're going to have to balance their budgets in spite of the increased costs that are being burdened on them by this government. Do you know what they'll have to do? They'll have to look at their budget, they'll have to look at places where they normally spend money and not spend that money.

That is precisely what this government should have done. That was their responsibility: to look at their books, for every minister to do the program review and to balance the budget. This Premier had an option, and the option was to direct the Minister of Finance to balance the budget. They chose not to. They chose to continue to lay an additional burden of tax on the people of Ontario. The Premier will have to answer at some point as to why he broke his promise. Why did you not go to work, Premier, and balance the budget? Why?

**Hon Mr McGuinty:** I can say that our predecessors, the Conservative government, did answer for their sorry record on the state of seniors at the time of the last

election. Let me just remind you about some of the things they did to seniors—not for seniors, but to seniors.

They increased copayments for seniors' drugs. They tried to sneak through increases in long-term-care fees on a Canada Day weekend. They downloaded costs on to municipalities, which caused property taxes to go up, leaving seniors on fixed incomes at the mercy of property tax hikes. I can provide every reassurance to the people of Ontario, but to seniors in particular, that we do not intend to do to them what the Tories did to them.

## HEALTH CARE FUNDING

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** My question is to the Premier—and I'm glad to hear that the Premier is going to be treating our seniors with the dignity and fairness they deserve. But I will tell you, based on the letters and e-mails that we on this side of the House have been receiving, that there is growing concern, particularly from seniors, about the fact that you are going to be reducing universal access to health care by delisting chiropractic, podiatry, optometry and physiotherapy services. As you know, many of those are services that people on fixed incomes—seniors—simply could not afford if they were not funded by the provincial government through OHIP. So I ask you today, will you commit that your government will not reduce or eliminate funding for chiropractic services?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I thank the member for her question. I know there's a real interest on the part of the members opposite to kind of pick and choose and score some one-offs with respect to what is in and what is out of the budget. You know, Speaker, as does the member opposite, that it would be inappropriate for us to reveal details of the budget, but I can say this much: We are working as hard as we can to wrestle this deficit to the ground in a reasonable and responsible way and at the same time to deliver when it comes to health care and education, and we will not lose sight of Ontario's seniors and their special needs.

**Mrs Witmer:** Well, I can tell you, Premier, seniors are very concerned. They see that if delisting does occur, this is going to be reducing universal access to health care, and you have promised that you would not do that.

I want to focus on podiatry. As you probably know, about 60% of those people who do receive podiatry services are seniors, and of that 60%, at least half are people who suffer from diabetes, so it is a very, very significant treatment. I ask you today, will you commit that you will not reduce or eliminate OHIP funding for podiatry services?

**Hon Mr McGuinty:** Again, I am not going to engage in speculation about specific details. I can say that on this side of the House—as on that side of the House, I can presume to say—we have a tremendous sensitivity to the needs of our seniors and we feel a sense of responsibility to them. It was their investments in our colleges, universities, schools and hospitals that have so much enhanced

the quality of life that we all benefit from today. So we will not lose sight of our seniors, either in this budget or throughout our term as a government.

**Mrs Witmer:** I have to say, Premier, that personally I'm disappointed in your response. You could reassure people in this province who are concerned, particularly our seniors, about the fact that you may be delisting some of these services. It's pretty easy. Just say, "No, we are not delisting; no, we are not reducing OHIP coverage."

But if you take a look at physiotherapy, the Toronto Star says, "Seniors and people with disabilities who cannot afford to pay \$20 to \$40 for treatment would be left incapacitated." In fact, more than 80% of the schedule 5 patients are seniors.

Will you end the speculation today? Will you commit to providing universal access to health care services and will you reassure people in the province today that you will not reduce or eliminate funding for schedule 5 physiotherapy?

1420

**Hon Mr McGuinty:** Again, I really do thank the member for the question and for the concerns that she raises. I'm hoping she is not trying to fan flames of fear among our seniors. Nobody would ever want to do that.

But let me just say this: Let us consider the previous government's record when it comes to seniors. Again, they increased copayments for seniors' drugs. They tried to sneak through increases in long-term-care fees on a Canada Day weekend. Seniors felt the brunt of the costs downloaded on to municipalities when the municipalities had no choice but to look to their municipal tax base to cope with their new responsibilities.

We're not going to bring that kind of approach to governing. We do not intend to burden seniors further.

### GASOLINE PRICES

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. While gasoline prices skyrocket across the province, your Liberal government is engaging in blatant promise-breaking. Before the last election, the member for Sudbury, Mr Bartolucci, now Minister of Northern Development and Mines, introduced a bill to first roll back gasoline prices and then freeze them for at least 90 days. But now that you are government, you want to pretend that this bill never existed.

Consumers are being hit hard at the gas pumps. The government of Ontario has the legal capacity to regulate gas prices. A simple question: Will you pass Mr Bartolucci's bill, now introduced as Bill 74, to roll back and freeze gasoline prices?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** I know the Minister of Energy will want to speak to this in more detail shortly, but let me say off the top that I appreciate that many members of this government have in the past introduced a variety of bills, and I do not doubt their sincerity for a moment in that regard. But I think it's important that the public

recognizes the difference between government policy and laudable initiatives made on the part of individual members. I know the member opposite would want to make that clear.

We're not divorced from the public we happen to serve. We understand that gas prices are a real issue. We have an ongoing concern with respect to that. The Minister of Energy is monitoring that very closely, I know the federal government is now looking at this very, very closely. We're paying very close attention.

**Mr Hampton:** I'm surprised that the Premier now believes the ideas he and his colleagues promoted in opposition no longer apply.

Let me quote Mr Colle, who also had a lot to say on this issue. In fact, I'll use his supplementary:

"Mr Premier, when it comes to gas price gouging, you're all talk and no action. You, as the Premier of this province, have the power to protect Ontario consumers when it comes to pricing...."

"In 1975, Bill Davis stepped in to protect consumers.... Pass this bill today. You can stop the belly-aching and take concrete action.... Stop whining and do something."

So said Mr Colle, a member of your government, parliamentary assistant to the Minister of Finance. If it was good enough for you Liberals then, why isn't it good enough now? Pass the bill. Live up to some of the promises you made.

**The Speaker (Hon Alvin Curling):** Premier?

**Hon Mr McGuinty:** The Minister of Energy.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I think it's important to remember what all members of the House have said in here.

Let me tell you what Jenny Carter, the NDP energy minister, said when gas prices went up under their government. She said, "I don't have a magic wand to wave to iron out these problems." That's what she said.

Let me tell you what Brian Charlton, the energy minister, said to this House on May 27, 1992: "The primary responsibility for ensuring that there is no price-fixing ... in this country" falls to the federal government.

What did the NDP do about gas prices when they were in government? They raised the tax 13% in their 1992 budget. That member is full of histrionics and ironies. He forgets his own record. You ought to remember it, sir. No one has a worse record on gas prices than your government did when it was in power.

### CHILD CARE

**Mr Howard Hampton (Kenora-Rainy River):** Premier, I enjoy reading the Liberals' words back to them, and I want to read your words back to you on child care. You promised \$300 million of provincial funding for child care. We know there is a crisis in child care across the province, whether it's in large cities like Toronto or smaller communities like Fort Frances, Kenora or Sioux Lookout in my riding. They are either losing spaces, driving up fees or closing their centres. But

it's not just the \$300 million you promised; this year you are receiving \$58 million from the multilateral agreement of federal money and \$187 million from the early childhood development agreement. Just in federal money, that is \$245 million that should be going to child care. My question is, will you immediately announce that all of that money, \$245 million, is going to be passed over to the municipalities so they can properly and adequately fund child care?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I know the Minister is anxious to speak to this.

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** This government is committed to enhancing child care. We heard the same stories over the years that we were in opposition. My honourable colleague the Minister of the Environment was the critic for children's services during the last four years, and we are very well aware of the challenges out there and we will enhance child care money. And yes, sir, I have said at least three times that the \$58 million coming from the federal government will go to child care for this province.

**Mr Hampton:** It is not just the \$58 million. The \$58 million is from the multilateral agreement on child care. You are also receiving \$187 million from the early childhood development agreement. That is \$245 million. Then there is the \$300 million that you promised. Even if you only gave part of that, say one quarter of it, that would come to another \$75 million: total, \$320 million. Will you commit today that you are going to pass on the \$245 million of federal money that you already have or are going to get and the \$75 million you promised in provincial funding—\$320 million that our child care centres desperately need today? Will you make that commitment, or are you going to hold back some of that money?

**Hon Mrs Bountrogianni:** There isn't one penny held back. A lot of the money that the honourable member mentioned was given by the former government to children's services and, quite rightly so, I was also disturbed that a lot of that didn't go to child care.

What my ministry and I are presently doing is reviewing all the programs from the federal government as well as the provincial monies that are going into early years child care and early years children's services. Some of those children's services are actually excellent. We don't want to throw the baby out with the bathwater. There are others that are questionable. We are doing an analysis of all that, and we will improve child care and the early years in Ontario, I can assure you.

#### CANCER TREATMENT

**Mr Cameron Jackson (Burlington):** My question is to the Premier. Cancer Care Ontario is building one of the finest cancer treatment programs anywhere in the world. On April 29, its CEO reported that we are expect-

ing a 4% increase in actual cases and that last year's actual costs for new drug treatments were almost \$12 million more.

Yet, you have officially notified Cancer Care Ontario that this year's budget for new drug treatments will be frozen at last year's lower rate, significantly short of actual treatment costs. You have also advised Cancer Care Ontario to withdraw treatment from prostate cancer patients by no longer paying for zoledronic acid injections.

Why are you capping Cancer Care Ontario's new drug budget well below the actual treatment needs of Ontario cancer patients, and why are you specifically withdrawing funding for new drugs for breast and prostate cancer in Ontario?

1430

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** First of all, let me speak to the issue of cancer and the devastation it causes to our families.

I had the opportunity to deliver a speech within the past hour, and one of the things I talked about was how, by the year 2028, the number of diagnosed cases of cancer is expected to double in Ontario. So we've got a real challenge on our hands.

To be more specific to the questions raised by the member opposite, my understanding is—and I don't have the minister here to double-check it with—no final decisions have been made. It is certainly not our intention to compromise the ability of Cancer Care Ontario to address cases of cancer in Ontario.

**Mr Jackson:** You may have made a speech last week, but I have in my possession—

**Hon Greg Sorbara (Minister of Finance):** No, today.

**Mr Jackson:** Today. I have in my possession a memo from your government, dated January 27, 2004, confirming, "Provincial funding for the new drug funding program will be restricted for the 2003-04 fiscal year. As a result, Cancer Care Ontario will delay the implementation of the decision to reimburse Zoledronic acid injections "for the treatment of hormone refractory prostate cancer. Treatment given patients initiating therapy prior to January 28, 2004, will be eligible for reimbursement."

If you needed it after that date, you were no longer able to get it in Ontario. These patients are mostly seniors. They are not able to fight for access to this treatment.

Premier, this drug was cut because of budgetary restrictions put on by your minister, not for clinical reasons. Will you reinstate this drug therapy now and not create two-tier access to cancer care in our province?

**Hon Mr McGuinty:** Again, my understanding is that no final decision has been made with respect to this particular matter. I undertake, on behalf of the member, to look into it and report back to him.

Again, I want to say this with the greatest possible emphasis: It is not our intention to compromise cancer care for Ontarians.

## GO TRANSIT

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** My question is for the Minister of Transportation. Last week you joined with the federal government to announce the signing of an agreement to jointly fund construction projects to improve the GO Transit rail and bus system in the greater Toronto area. This is a significant investment—I understand \$1.05 billion. I'm from Hamilton, which is just outside the formal GTA area. My constituents are wondering aloud just how this investment will benefit Hamilton commuters.

**Hon Harinder S. Takhar (Minister of Transportation):** First of all, I want to thank my colleague from Ancaster-Dundas-Flamborough-Aldershot. The GO announcements we made on Friday are really intended to improve the service in the GTA area in general, but let me just talk about some of the improvements that will happen in the Hamilton area.

We are expecting to add a third track between Port Credit and Oakville and between Burlington and Hamilton Junction in the lakeshore area. That will tremendously improve the service and reliability of GO Transit in that area.

**Mr Klees:** I made these announcements.

**Hon Mr Takhar:** These planned improvements, together with the system improvements at Union Station, will support additional trains to Hamilton and help us improve congestion.

**The Speaker (Hon Alvin Curling):** Supplementary.

**Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale):** Many thousands of people commute from Brampton into Toronto every day. I and my constituents were pleased to see the government follow through on its commitment to enhance GO Transit service. Minister, how will the funding you announced last week specifically benefit Brampton commuters?

**Hon Mr Takhar:** Again, I want to thank my colleague from Bramalea-Gore-Malton-Springdale for his question. My friend from Oak Ridges says he made all these announcements, but there was never any money tied to these announcements.

The announcement we made on Friday will tremendously improve GO Transit service on the Georgetown corridor, which serves the Brampton area. This includes improving track capacity and road-rail grade separation. We also plan to actually expand the parking areas at Bramalea and Malton. This will ensure that the safety of road and rail will increase, and we will increase the service on the Georgetown corridor as well.

## BIRTH CERTIFICATES

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** My question is for the Minister of Education. The entire province is aware of, and has felt the effects of, the mess and the backlog of the processing of birth certificates in this province. Now my constituents are being told that their children will be denied entry to kindergarten, come

September, if they do not present official birth certificates to the school. My question is, are you going to allow this to happen?

**Hon Gerard Kennedy (Minister of Education):** I'm a little surprised that the member opposite wants to highlight the mess his government left us in terms of the Registrar General's office, and I appreciate the opportunity, which we can provide in a supplementary, for us to exhibit the great job that the minister is doing in dealing with that backlog.

What I would say is that we only became aware today of the particular question that the member is raising. We are talking to the board. We can't speak to the specific case. It is the board's prerogative to set those kinds of policies, but we do like to believe there is a way to work around that, working with the board. Obviously, in general, we want to make sure that students get access to the improvements we're making in education, and I'll be happy to let the Minister of Consumer and Business Services tell you about what they're doing on the birth certificate backlog.

**Mr Tascona:** Many of these applications are not even close to being processed and, according to your ministry, they don't even qualify for emergency or expedited service because apparently kindergarten is not considered mandatory. At this point, people across this province are submitting a photocopy of their children's application. Some school boards are accepting them for now and some are not, but they won't accept anything less than the official certificate come September. Will you stand today and promise Ontario children that each and every one of them will have an official birth certificate in order to go to school this September?

**Hon Jim Watson (Minister of Consumer and Business Services):** I thank the Minister of Education, who undertook that he would look into the situation with respect to the school board aspect. I would be pleased to speak with the honourable member about a specific case. Obviously, because of privacy laws, we can't deal with a specific case on the floor of the Legislature.

But I am pleased to report that as a result of the McGuinty government's commitment to cleaning up the situation we find ourselves in, we now have 173 new staff processing applications. Just in the last five days, 5,000 new applications were processed and sent out, and this is the result of a \$2.6-million investment. Regrettably, your party cut the Office of the Registrar General by 11%, a total of \$6.3 million. We're cleaning up the mess, and we're going to continue to do so.

## ENERGY ISSUES

**Mrs Carol Mitchell (Huron-Bruce):** My question is to the Minister of Energy. I want to ask you about this government's action on electricity and how it will affect the people in my riding. You have spoken several times on how you will work with farmers to ensure fairness for all communities in Ontario. Distribution costs tend to be higher for farmers and people in rural areas. What has

been done to ensure that these individuals have fair and predictable prices for electricity?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** The energy plan we introduced last fall will help ensure stable prices going forward for small consumers, particularly in rural communities. I'd like to review for a couple of moments some of the things that I think are of benefit to the rural community.

Recognizing that the cost of distributing electricity is more expensive in rural areas, rural residents will continue to receive a \$28-per-month subsidy to help make their costs more affordable. We've also made a number of announcements with demand shifting, smart meters and so on, which can be most beneficial.

I should also say that the Premier announced our intention to do net metering, which should allow farmers particularly to benefit from being able to sell excess generation that they create into the grid to help reduce their own costs. We were assisted, as you know, by the Ontario Federation of Agriculture. The member opposite should be applauded for her work in this effort as well.

1440

**Mrs Mitchell:** We must have an adequate and reliable supply of electricity. That's absolutely necessary for Ontario's prosperity. The August 2003 blackout was an example of how when our system goes down, the vitality of our economy is jeopardized.

Recently, the Canada-US joint task force on the August 2003 blackout released its report. Energy issues are a concern for me. As you are aware, Bruce Power is in my riding. It employs several thousand people and provides much-needed supply to the province. Minister, what role did Ontario play in the August 2003 blackout, and how was Bruce Power able to help with that recovery?

**Hon Mr Duncan:** I recently asked key players in the sector to participate in a discussion about how we responded to the blackout and what we've done since to improve energy response capabilities. Bruce Power—interestingly enough, the member references it—was able to have three of its four units at Bruce B back on the grid between three and five hours after the blackout occurred, which contributed in large measure to Ontario starting to get back on its feet after the blackout.

The IMO, Hydro One, OPG, OEB and Bruce Power have all thoroughly reviewed their operations and made important technical and operational changes to further improve our ability to respond to these types of events. There have also been additional actions in addressing our province's "black start" capability; that is, when the power goes right down to nothing, it takes power to get the nuclear reactors back up. These are being done in accordance with the system requirements that we have.

## TAXATION

**Mr Michael Prue (Beaches-East York):** My question is to the Premier. You have proved over these last several months that you are adept at reaching into the

pockets of ordinary Ontarians, a virtual modern-day Artful Dodger. First there was the 8% soup-and-salad tax. Then there was the out-of-control gas taxes that you and your cabinet promised to control. Now we have the spectre of stealth property tax increases.

In the past, education property taxes were reduced as property values rose, and the new rate was always revenue-neutral. My question to you is, will you continue with this policy, or is it your plan to make a secret property tax grab of \$600 million by simply doing nothing?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** The Minister of Finance.

**Hon Greg Sorbara (Minister of Finance):** I'm surprised that my friend from Beaches-East York's research is so out of date. This is a question that could have been asked perhaps a month ago, but if he had done any follow-up work between last month and this, he would have found that we have set education tax rates for this year. We have lowered the rate to 0.296% in order to make sure that overall across the province the effective rate is absolutely revenue-neutral; that is, people will be paying the same amount this year as they did last year. If the member wants a quick tutor update on what has happened, I'd be delighted to meet him after question period.

**The Speaker (Hon Alvin Curling):** Supplementary?

**Mr Prue:** No, thank you.

## WATER QUALITY

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** My question today is for the Minister of the Environment. We've been getting feedback throughout the province on regulation 170/03. I have been getting it from my riding and stakeholders in my riding. I'm sure, as a member with a sizable rural contingent, you've been hearing it too, as all rural members have.

The implementation of this regulation will bring unprecedented hardship to stakeholders in my riding and all across rural Ontario. It is being mean-spirited in its implementation. I understand that two of your own ministers speculated that there may be some changes. Minister, I'm asking you today: Will you stand and do the right thing and halt this regulation now before the damage to businesses and community halls and campgrounds in rural Ontario is irreversible?

**Hon Leona Dombrowsky (Minister of the Environment):** I certainly have been hearing a great deal from people right across Ontario around regulation 170, that was crafted by the previous government. It's interesting that the honourable member now suggests he has been receiving lots of feedback. I would suggest that, had the previous government looked for more feedback before the implementation of regulation 170, we would not find ourselves in the situation we are in today.

I can commit to the honourable member that, in addition to our government's commitment to ensure that we have safe drinking water across the province, we most definitely are prepared to deal with regulation 170 and

ensure that communities across Ontario will have a regulation they can work with.

**Mr Yakabuski:** My supplementary is to the Minister of the Environment as well. The unprecedented opposition to this regulation transcends simply stakeholders and people who are going to be directly affected; it affects all members of the community. Businesses within the villages where there is a treated water system are feeling the effects of this as well, because they're going to be affected financially if this is not pulled back.

We have discussed in our ridings, and our stakeholders have discussed, the tremendous financial hardship that this is going to have on them. Have you talked to the Minister of Finance and have you studied and looked at what the ramifications will be to the finances of this government if these businesses start to close because of the implementation of this regulation?

**Hon Mrs Dombrowsky:** It's very obvious that the previous government did none of the consultation that the honourable member is suggesting we should be doing now.

On Saturday, I actually had the pleasure of meeting with some of the honourable member's constituents. I have explained that—

**Interjection:** Nice folks.

**Hon Mrs Dombrowsky:** They are lovely people, and they had very valid issues. I was very happy to listen to what they had to say. I was able to share with them that this week I will be making an announcement on regulation 170 and describing this government's plan to deal with the mess that we inherited from your government.

## TOURISM

**Mr Khalil Ramal (London-Fanshawe):** My question is for the Minister of Tourism and Recreation. Ontario truly is a province that is yours to discover, with a multitude of places to visit, things to do and sights to see. As you know, this resource, known as our tourist industry, plays an important role in the economy of all communities across this province. What are your ministry's plans to market Ontario across the country and around the world?

**Hon James J. Bradley (Minister of Tourism and Recreation):** It's an excellent question and I think I can find some material here that will fit it. I want to tell the member that my ministry continues to aggressively market the province of Ontario, as he would know, in a variety of ways aimed at improving the provincial image in the minds of consumers and increasing the number of tourist dollars being spent. This government has wisely invested in marketing dollars and advertisements widely seen in US publications which draw valuable American tourists to this province.

Now listen to this: To assist in this effort I spent the morning extolling the virtues of Ontario on several Buffalo radio stations. The people who listened live close

to the Canadian border and serve as an excellent market for potential tourists.

While my ministry recognizes the importance of Toronto as a valuable resource to tourism experience in Ontario—as we've shown evidence of that—we're interested right across the province. Only last week Tim Peterson, my PA, announced \$375,000 for marketing for Muskoka. We produce experience guides in both languages. We serve consumer guides, trip-guiding guides—

**The Speaker (Hon Alvin Curling):** Thank you. I'm sure you'll get that going in the supplementary.

1450

**Mr Ramal:** Minister, I'm pleased we are letting the world know about our beautiful province. The job of promoting tourism also falls on the shoulders of municipalities and townships across this province. In my riding of London-Fanshawe, the city of London, along with many cultural organizations, is promoting our city and its attractions in unique and innovative ways. Minister, what plan does your ministry have to support local communities and their effort to promote tourism?

**Hon Mr Bradley:** Regional managers and tourism industry consultants from the Ministry of Tourism and Recreation work with the operators of the attractions and accommodations to build packages and develop products that will draw people to a local area. This government believes the best results can be achieved working with municipalities and with the industry, and together we are enhancing the diversity of experiences and attractions that Ontario has to offer.

In the case of your riding, my ministry worked with Tourism London to develop a marketing package, and \$100,000 in provincial funding was recently provided to assist the Forest City in achieving our tourism goals. Also, I would like to congratulate the city of London on their recent successful bid for the 2005 Memorial Cup, an event sure to draw tourists from across the country. By using such tools as the premier-ranked tourism destination framework and the destination marketing partnership fund, my ministry will help re-energize and revitalize the tourism industry with Ontario communities.

## ROAD SAFETY

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Minister of Transportation. On May 6, I asked you a very clear question. I asked you to name the specific police agencies which you consulted before drafting Bill 73. This is the act that refers to specific weights, heights and ages of children while in transit. In order to enforce Bill 73, it will require a lot of resources by our police services. You responded, "Yes ... I have talked to the police forces and they're very supportive of this legislation." Minister, please specify by name exactly which police services or associations you consulted before you drafted Bill 73.

**Hon Harinder S. Takhar (Minister of Transportation):** I don't have all the names with me. I will be

more than pleased to share those with the honourable member.

**Interjection:** Name one of them.

**Hon Mr Takhar:** Peel police. I talked to them personally.

**Mr Dunlop:** Minister, I'm sorry for that answer. The Police Association of Ontario was not consulted on this legislation, and it represents 22,000 uniformed and civilian members of police services across our province, nor was the Ontario Association of Chiefs of Police, which has more than 1,000 members. In fact, the Ontario Association of Chiefs of Police was asked to send a representative to act as a human prop at your press conference but has yet to even form an official opinion on the legislation. They're doing that, as we speak, at a conference.

Minister, why would you tell this House, and why would you tell Ontarians, that police were consulted on this legislation when in fact they weren't? Why would you do that to the men and women who are expected to enforce the legislation without the 1,000 police officers you and Dalton McGuinty promised to the citizens of our province?

**Hon Mr Takhar:** Last week, I was at the opening of a police centre in Peel region, and there were police forces from almost all of Ontario present there. Most of them complimented me on the introduction of this legislation. Not only that, but all the other stakeholders have been very supportive of this legislation, and I'm really proud that we were able to introduce this legislation which, if passed, will save lives here in Ontario.

## ENVIRONMENT AWARDS

**Mr Lorenzo Berardinetti (Scarborough Southwest):**

My question is to the Minister of the Environment. Like many Ontarians, the environment and our relationship to the environment is of great concern to me. We've seen citizens and community groups taking positive steps toward conservation and preservation. While these movements have been the most obvious, private business and institutions have been making significant contributions to Ontario's environmental health.

Minister, you recently attended the Canadian Council of Ministers of the Environment Pollution Prevention Awards in Ottawa. Could you advise this House how Ontario performed at these awards?

**Hon Leona Dombrowsky (Minister of the Environment):** I'm delighted to have this opportunity to inform the House that there were five awards presented at the Canadian Council of Ministers of the Environment Pollution Prevention Awards. Three of those awards went to Ontario companies. Beach Solar Laundromat, which is located in the Beaches community in Toronto, have promoted pollution prevention in their community by using green technologies. They've actually installed solar panels on the roof of their operation and heat all of the water for their operation with them. Warren's Imaging and Dryography has lowered their energy consumption

and reduced emissions and solid waste, becoming the industry leader in waterless printing. Lastly, The Hospital for Sick Children was recognized for its progress in reducing gaseous, liquid and solid waste emissions. This is complemented by their conservation of power and water. That is an example of institutional conservation in the province.

**Mr Berardinetti:** It's good to hear that Ontario businesses and institutions are being recognized for their creative pollution prevention initiatives. How can your ministry encourage and support other companies and institutions to follow the lead of these award winners?

**Hon Mrs Dombrowsky:** We believe it's very important that the provincial government play a role in showcasing best environmental practices. The ministry does have several projects underway to support pollution prevention. The ministry contributes to funding the Clean Air Foundation, which supports pollution-prevention-based programs like Mow Down Pollution. The Ontario government also has the Ontario Environment Business Directory, managed by the Ministry of the Environment. It is a tool that can be used by industry to identify providers of environmental goods and services that can assist industry in meeting pollution prevention goals. Also, the Green Industry Office, which is managed by Ministry of the Environment, assists Ontario-based companies offering products, services and technologies to prevent pollution and to protect or clean up our environment. Also, my ministry participates each year in the Globe conference, where we take the opportunity to showcase green technologies available in Ontario to the rest of Canada and North America.

## WATER QUALITY

**Ms Marilyn Churley (Toronto-Danforth):** My question is for the Minister of the Environment. You've refused to review the Conservative well water regulation that has been described by the Canadian environmental law association as inefficient and unenforceable, and your refusal as alarming and shocking. You were quoted in a CP story that in your perspective, and in the perspective of the MOE staff, regulation 903 is adequate. I want to ask you, in arriving to this view, did you consult with the provincial well coordinator, your own expert on this issue?

**Hon Leona Dombrowsky (Minister of the Environment):** With regard to regulation 903, we consulted the Walkerton inquiry report. We read what Justice O'Connor had to say in terms of what is the government's responsibility with regard to protecting well water. O'Connor was really very clear. He indicated that the provincial government should provide the public with information about how to supply water safely and should ensure that this information is well distributed. The government should also maintain a system of licensing well drillers and ensure the easy availability of microbiological tests. That is, in fact, what is accomplished in regulation 903.

**Ms Churley:** You didn't answer my question. I asked if you've consulted with your own expert on this. You're breaking your own promise if you don't allow a review of this. It is unbelievable that, post-Walkerton, you are actually lowering standards for our drinking water. Minister, I'm going to ask, will you make the commitment today to speak to the Ontario well coordinator, your own expert, about regulation 903, and then report back to this House what he has to say about the effectiveness of this regulation in ensuring public health and safety? Will you consult with this expert and report back to this House?

**Hon Mrs Dombrowsky:** This government has an initiative underway, the source water protection initiative. We have established two committees, the implementation committee and the technical experts committee. These are made up of experts in their field from across the province who are charged with the responsibility to provide this minister with recommendations on how to ensure that all source water in this province is protected. We are awaiting the reports of those committees to provide us with direction to ensure that on a go-forward basis our legislation and our regulations will do just that: ensure that water is safe in Ontario.

1500

#### RED HILL CREEK EXPRESSWAY

**Mr Frank Klees (Oak Ridges):** My question is to the Minister of Transportation. On Saturday I had the opportunity to be in the great city of Hamilton with our Conservative candidate, Tara Crugnale. While we were there, we challenged your candidate to sign an IOU on behalf of the people of Hamilton, and it related to the Red Hill Creek Expressway. The fact of the matter is that after many years, that expressway is finally going ahead. As a result of an extended period of time and extended environmental assessments, the costs of that expressway have increased significantly.

Minister, you will know that we had committed to support funding to 75% of that cost. The IOU that we challenged your candidate to sign was to match that and to in fact come up with the \$55 million that Hamilton will require as the 75% contribution to make that project a reality. Will you stand in your place today and agree that you will honour your candidate's call and our call to match that level of funding?

**Hon Harinder S. Takhar (Minister of Transportation):** Let me just tell you what we are doing about Hamilton in terms of the Red Hill Creek Expressway. We are absolutely committed to providing \$106 million regarding the Red Hill Creek Expressway. In addition to that, we are fully committed to funding 100% of the interchange with the QEW. This government is not just talking about it; we are actually going to do it and we're going to provide funding for it.

**Mr Klees:** Why am I not surprised that the minister didn't answer the question? The minister will know that an additional \$19 million of costs have been identified by the city of Hamilton. Will the minister stand in his place today and confirm for the House and the people of

Hamilton that he will, as the Minister of Transportation, commit that additional funding? Will he do that today?

**Hon Mr Takhar:** My friend from Oak Ridges seems to have a lot of ideas after leaving his portfolio. He tells me he has this commitment and that commitment. He told me he had a deal with the 407, which we never found. I asked him in writing if he could provide me one. He couldn't do that. Now he tells me he had a commitment for the people of Hamilton. We are absolutely committed to providing \$106 million, and in addition we will be fully funding the QEW interchange.

#### SCHOOL SAFETY

**Mrs Liz Sandals (Guelph-Wellington):** My question is for the Minister of Education. On Friday you made an announcement at the character and citizenship conference. You announced the expansion of a pilot project that has been shown to reduce bullying and aggression in children while increasing their emotional literacy. Can you give us a little bit more detail about the program and how it will help to reduce bullying in our schools?

**Hon Gerard Kennedy (Minister of Education):** I'm very pleased to report to the House that the government has taken an initiative to try to get at what really is easy to call a scourge but hard to do something about. Bullying exists in every school we have. We have rules about what to do when bullying goes wrong and harms somebody, but very little in terms of coherent effort underway to prevent bullying. This is what this program is about. It's called Roots of Empathy. It puts infants from a neighbourhood in a school with young children and tries to bring out those aspects of their emotional well-being to make sure it develops at the same time as other aspects, because we have found there's a strong connection between bullies and the absence of that development. It's a proactive program, proven to work, that is now going to be available in 80 more locations around the province.

**Mrs Sandals:** Minister, I'm absolutely thrilled you're going to be providing pilot funding for Roots of Empathy. This is a program I've been a big fan of for a long time. One of my frustrations in my former role as president of the public school boards' association was that the former government would not fund Roots of Empathy.

Could you, however, tell us a little bit more about how this is going to improve access to bullying programs for schools all across the province?

**Hon Gerard Kennedy:** Thank you to the member opposite who, from both her former and present interests, has helped us to develop some of our thinking around safe schools. This particular program—everyone should know about it—was a made-in-Ontario innovation, using very basic technology, if you like. They were just insights that were brought together by Mary Gordon and an organization called Roots of Empathy. But to get funding they had to go to the provinces of British Columbia and Alberta. They couldn't get funding in their own home province—from the province at large—and school boards

were having to scrape together dollars. This will allow boards that never had the program before to access it. It will allow boards that have had the program but are having a hard time hanging on to it make sure they'll be in a better position to do it.

It costs us only about \$25 per child for the entire year, or a dollar per session. This is a cost-effective program, but because it was about prevention, because it was about public schools doing better, for some reason it couldn't attract the attention of the previous government.

Research in British Columbia showed 88% of the kids exposed to it had reduced aggressive tendencies. This program has a new component for research to make sure we have the full benefit now—

**The Speaker (Hon Alvin Curling):** Thank you. New question.

### GASOLINE PRICES

**Mr Norm Miller (Parry Sound-Muskoka):** My question is for the Minister of Northern Development and Mines. When in opposition you said, "Gas prices all over Ontario continue to be too high and the government of Mike Harris is doing nothing about it. The Liberals have given the Minister of Consumer and Commercial Relations a solution, but we see no action from the Mike Harris government."

Minister, I asked you this question last week and you didn't talk about your solution in your response. Could you try again? Northerners want to know what your solution to high gas prices is.

**Hon Rick Bartolucci (Minister of Northern Development and Mines):** The question is a valid one. As Minister of Northern Development and Mines, I believe it's incumbent that the petroleum products industry understand the significant impact that gas prices have on the people of northern Ontario. So within the last two weeks I met with the senior vice-president and representatives of the Canadian petroleum price industries, because I believe it's critical that they understand there is a negative impact from higher gas prices in northern Ontario. It was the first time in many years that they met with a northern minister. I believe the Minister of Northern Development and Mines should be articulating the concerns of northerners.

What I did in opposition I would never apologize for. We had a government in place for eight years, before we took over, that did absolutely nothing for northern Ontario. Therefore, we in the opposition had to be very creative and articulate the concerns of northerners.

**Mr Miller:** Minister, I hope you were talking about your solution, because you said you have a solution: "The Liberals have given the Minister of Consumer and Commercial Relations a solution." I'd like to hear about that solution.

In the north an automobile is not a luxury; it is a necessity. Your government has made announcements of extra funding for the TTC. In the north, there is no public transit in most locations. As Minister of Northern Development and Mines, how do you intend to help

northerners, who rely on an automobile, to deal with these record high prices? Tell us about your solution, Minister.

**Hon Mr Bartolucci:** Clearly, the people of northern Ontario should understand that our solution will not be appointing gas busters. We will not be sending people across the province of Ontario. We will not be raising false expectations or hopes, and we will not, as the previous government did, make 14 recommendations and address only one of them.

### ACCESSIBILITY FOR THE DISABLED

**Mr Ernie Parsons (Prince Edward-Hastings):** My question today is to the Minister of Citizenship. On May 3, 2004, the Prime Minister and our Premier announced new funding to assist persons with disabilities in gaining access to employment. While this was a positive step, the location chosen for the announcement was one of concern for disability advocates. In 2001, Famous Players was found to have violated the human rights of Ontarians with disabilities. This was in regard to significant barriers faced for individuals with disabilities when they tried to enjoy the services.

The Famous Players theatre now is a fully accessible venue and a leader in employing individuals with disabilities. However, accessibility in this province continues to be a very serious issue for many individuals. Minister, with over 1.5 million Ontarians—an estimated 13.5% of the population—living with a disability, and considering that these numbers are expected to rise as our population ages, I would like to ask the minister what her ministry is doing to improve accessibility in the province?

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I'd like to thank my colleague not only for the question but for the wonderful work he did in opposition as the critic in this area.

As the announcement last week pointed out, accessibility is an issue that affects all Ontarians. Everyone benefits from improved accessibility, and that is why the McGuinty government is committed to strengthening the Ontarians with Disabilities Act. Our government is committed to building a province where all people have the opportunity to fully participate and achieve their potential. We have just completed a series of consultations, and we are reviewing the data in order to strengthen the Ontarians with Disabilities Act.

1510

### PETITIONS

#### TILLSONBURG DISTRICT MEMORIAL HOSPITAL

**Mr Ernie Hardeman (Oxford):** I have a petition from a group of names. It now has upwards of 6,000 signatures.

"To the Legislative Assembly of Ontario:

"Whereas the Tillsonburg District Memorial Hospital has asked for ministerial consent to make capital changes to its facility to accommodate the placement of a satellite dialysis unit; and

"Whereas the Ministry of Health and Long-Term Care has already given approval for the unit and committed operational dollars to it; and

"Whereas the community has already raised the funds for the equipment needed;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Health and Long-Term Care give his final approval of the capital request change from the Tillsonburg District Memorial Hospital immediately, so those who are in need of these life-sustaining dialysis services can receive them locally, thereby enjoying a better quality of life without further delay."

I affix my signature to this petition as I totally agree with it.

#### PENSION PLANS

**Mr Peter Kormos (Niagara Centre):** I have a petition addressed to the Legislative Assembly of Ontario. It reads:

"Whereas Stelpipe Ltd and Welland Pipe Ltd are currently operating under the protection of the Companies' Creditors Arrangement Act (CCAA) as part of the restructuring process being undertaken by Stelco Inc; and

"Whereas there is a significant unfunded liability in the Stelpipe and Welland Pipe pension plans for hourly employees; and

"Whereas there will be a significant negative impact on the pensions of both active employees and retirees in the event of a windup of these pension plans; and

"Whereas the pension benefits guarantee fund (PBGF) does not protect the entire amount of accrued pension benefits; and

"Whereas the PBGF may not have sufficient assets to provide such protection;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) to amend the provisions of the PBGF in order that it provides complete coverage and protection for the accrued pension benefits of all pension plan members;

"(2) to amend the financing provisions for the PBGF in order to ensure that sufficient funds are available to provide for the complete protection of all accrued pension benefits;

"(3) to take interim action as required in order to provide immediate protection of the accrued pension benefits of both active employees and retirees of Stelpipe and Welland Pipe."

I have signed this petition as well.

#### PRIMARY CARE

**Mr Jeff Leal (Peterborough):** "To the Legislative Assembly of Ontario:

"Whereas the community of Peterborough is suffering a crisis in terms of accessibility to health care, brought on by the severe and growing shortage of family physicians; and

"Whereas the community of Peterborough has demonstrated extraordinary strong local leadership in developing a proposal for primary care reform which is very innovative and will provide access to primary care for the growing list of more than 20,000 residents in our community without a family physician; and

"Whereas this proposal has been endorsed by the county of Peterborough, the city of Peterborough, the Peterborough County Medical Society, the Peterborough Community Care Access Centre, the Peterborough Regional Health Centre and the Peterborough County-City Health Unit;"—

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** What a group.

**Mr Leal:** An extraordinary group.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To work with representatives of the local community to ensure that all residents of Peterborough have access to an appropriate primary care provider through the timely implementation of the proposed integrated primary care model, as this model provides appropriate and equitable compensation for family physicians while incorporating sufficient interdisciplinary health care providers, community linkages and appropriate administrative, infrastructure and information technology supports to enable health professionals to enjoy a more realistic, healthy work-life balance."

I'll put my name to this petition.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to present a petition on behalf of seniors. This group in Fort Erie includes Norma Jean Garlow and the Caverson family, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas during the election campaign the Dalton McGuinty Liberals said they would improve the Ontario drug benefit program but now are considering delisting drugs and imposing higher user fees; and

"Whereas the Liberal government has increased costs to seniors by taking away the seniors' property tax rebate and increased the price of hydro;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors' drug fees."

In support, my signature.

#### SENIOR CITIZENS

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** I have another petition relating to the issue of senior care.

"To the Legislative Assembly of Ontario:  
"We, the undersigned, petition the Legislative Assembly as follows:

"To immediately commit to action and funding to ensure the rights and protections for our senior citizens living in nursing homes and retirement homes" throughout "Ontario."

### LONG-TERM CARE

**Mr John O'Toole (Durham):** I have a petition from the Ontario Federation of Health Care Workers local 1110. This is with respect to the issue of long-term-care cutbacks.

"To the Legislative Assembly of Ontario:

"Whereas on April 22, 2004, the Ontario government announced \$60 million in funding cuts to the seniors living in long-term care in Ontario; and

"Whereas the impact on long-term care results in a reduction that is equivalent to the elimination of an entire housekeeping and laundry services department in each long-term-care facility;

"We, the undersigned, petition the Liberal government to reverse this decision and immediately reinstate full and equitable funding to long-term care in Ontario."

I'm pleased to sign this in support of long-term care in my riding of Durham.

### ONTARIO BUDGET

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I have a petition here and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the parliamentary tradition in Ontario of presenting annual budgets in the House of the Legislative Assembly has existed for decades; and

"Whereas the previous government in 2003 showed disrespect for our public institutions and the people of Ontario by presenting a budget inside a private, for-profit auto parts factory; and

"Whereas the previous Speaker of the Legislative Assembly condemned the actions of his own party's government;

"We, the undersigned, petition the Legislative Assembly of Ontario to uphold parliamentary tradition and hold a public presentation and debate of the 2004 budget, and every budget thereafter, by our publicly elected members of Parliament inside the legislative chamber."

I've signed this petition, as I agree with it.

### WATER QUALITY

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** I have a petition concerning the new Ontario Safe Drinking Water Act, 2002, regulation 170/03.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government is implementing regulation 170/03, and in doing so will affect town halls, churches and private property owners including small

businesses, local community centres and campgrounds; and

"Whereas meeting the requirements of regulation 170/03 has meant and will mean excessive costs and financial burdens for all drinking water system owners; and

"Whereas there is no demonstrated proof that this new regulation will improve drinking water that has been and continues to be safe in rural municipalities; and

"Whereas Ontario regulation 170/03 was passed without adequate consultation with stakeholders throughout Ontario; and

"Whereas stakeholders should have been consulted concerning the necessity, efficacy, economic, environmental and health impacts on rural Ontario;

"Therefore, be it resolved that the Legislative Assembly of Ontario abandon the implementation of and immediately repeal regulation 170/03, as well as amending the pertinent enabling legislation;

"We, the undersigned, support the attached petition."

I signed it as well.

### ALEXANDER GRAHAM BELL PARKWAY

**Mr Kim Craitor (Niagara Falls):** I'm pleased to present the petition on behalf of my riding.

"Whereas Alexander Graham Bell, renowned inventor of society-altering technological inventions, such as the telephone, greatly revolutionized the daily lives of people in Ontario, Canada and indeed the world; and

"Whereas Alexander Graham Bell's contributions to science, technology and society as a whole, were in part developed and tested while he lived in Brantford, Ontario; and

"Whereas Brantford lies at the heart of the section of 403 which runs from Woodstock to Burlington;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To adopt and pass into law Dave Levac's private member's bill, Bill 44, the Alexander Graham Bell Parkway Act, renaming Highway 403 between Woodstock and Burlington as a tribute to this great inventor."

I'm pleased to affix my signature.

1520

### GASOLINE PRICES

**Mr Gerry Martiniuk (Cambridge):** This is a petition to the Parliament of Ontario signed by good citizens of Cambridge.

"Whereas gasoline prices have increased at alarming rates during the past year; and

"Whereas the high and different gas prices in different areas of Ontario have caused confusion and unfair hardship on hard-working Cambridge families;

"We, the undersigned, hereby petition the Parliament of Ontario as follows:

“(1) That the Ontario McGuinty Liberal government immediately freeze gas prices for a temporary period until world oil prices moderate; and

“(2) That the Ontario McGuinty Liberal government and the federal Martin Liberal government immediately lower their taxes on gas for a temporary period until world oil prices moderate; and

“(3) That the Ontario McGuinty Liberal government immediately initiate a royal commission to investigate the predatory gas prices charged by oil companies operating in Ontario.”

#### DRIVER EXAMINATIONS FOR SENIORS

**The Speaker (Hon Alvin Curling):** The member for Niagara Centre.

**Mr Peter Kormos (Niagara Centre):** Thank you, Speaker. I’m so grateful to you. Indeed, I’m probably indebted—not likely.

I have a petition addressed to the Legislative Assembly of Ontario which reads:

“Whereas regarding the AZ driver testing, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“The following are some of the concerns which truck drivers and driver-owners between the ages of 65 and 75 years have incurred:

“We feel that the province of Ontario discriminates against AZ drivers once they reach the age of 65 by requiring them to be retested in the same manner as a person who has no experience, ie, written test, air brake test, road test, medical and vision. These tests can become very costly by losing time off work; renting or leasing equipment for road tests.

“This form of testing is only required by the province of Ontario. Every other province in Canada and every state in the United States only requires vision and medical exams for licence renewal.

“A driver’s history can be checked through the licence point system and also through CVOR system. The testing system in Ontario is so overloaded with new applicants, it doesn’t make sense to require drivers with 25-30 years’ experience to add to the problem by being tested. Some drivers have to make appointments 100 miles from their home to be retested before their birthday. There are cases where an independent owner-operator has been tested and failed and not been able to drive his own truck home because his licences have been downgraded on the spot. Now he has to absorb more costs to get his equipment home. It seems common sense has become rather uncommon.

**Mr Shafiq Qaadri (Etobicoke North):** On a point of order, Mr Speaker: This does not follow the format of a petition; it’s a speech.

**The Deputy Speaker:** Thank you for your advice. It’s been approved, I take it.

**Mr Kormos:** Thank you, Speaker. Where was I?

“The ministry seems to have the attitude that once we reach 65 years of age, we wake up one morning and

forget everything we ever learned. Maybe we should hold our doctors, lawyers and especially our political leaders to the same standard.

“We feel that an annual medical and vision test should be adequate to maintain our AZ driving privilege.”

I have affixed my signature as well.

#### ONTARIO BUDGET

**Mr Shafiq Qaadri (Etobicoke North):** I have a petition addressed to the Legislative Assembly of Ontario.

“Whereas the parliamentary tradition in Ontario of presenting annual budgets in the House of the Legislative Assembly has existed for decades; and

“Whereas the previous government in 2003 showed disrespect for our public institutions and the people of Ontario by presenting a budget inside a private, for-profit auto parts factory; and

“Whereas the previous Speaker of the Legislative Assembly” himself “condemned the actions of his own party’s government;

“We, the undersigned, petition the Legislative Assembly of Ontario to uphold parliamentary tradition and hold a public presentation and debate of the 2004 budget, and every budget thereafter, by our publicly elected members of Parliament inside the legislative chamber.”

I affix my signature, as I am in hearty agreement.

#### PROPERTY TAXATION

**Mr John O’Toole (Durham):** I’m pleased to present a petition to the Parliament of Ontario.

“Whereas recreational trailers kept at parks and campgrounds in Ontario are being assessed by the Municipal Property Assessment Corp (MPAC) and are subject to property taxes; and

“Whereas owners of these trailers are seasonal and occasional residents who contribute to the local tourism economy without requiring significant municipal services; and

“Whereas the added burden of this taxation will make it impossible for many families of modest income to afford their holiday sites at parks and campgrounds;

“Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

“That these seasonal trailers not be subject to retroactive taxation for the year 2003; and that the tax not be imposed in 2004; and that no such tax be introduced without consultation with owners of the trailers and trailer parks, municipal governments, businesses, the tourism sector and other stakeholders.”

I’m pleased to sign this in support of the constituents throughout Ontario who are outraged about this retroactive, regressive tax.

## ONTARIO BUDGET

**Mr Jeff Leal (Peterborough):** “To the Legislative Assembly of Ontario:

“Whereas the parliamentary tradition in Ontario of presenting annual budgets in the House of the Legislative Assembly has existed for decades; and

“Whereas the previous government in 2003 showed great disrespect for our public institutions and the people of Ontario by presenting a budget inside a private, for-profit auto parts factory; and

“Whereas the previous Speaker of the Legislative Assembly,”—the Honourable Gary Carr—“condemned the actions of his own party’s government;

“We, the undersigned, therefore petition the Legislative Assembly of Ontario to uphold parliamentary tradition and hold a public presentation and debate of the 2004 budget, and every budget thereafter, by our publicly elected members of Parliament inside the legislative chamber.”

I will sign this petition.

## ORDERS OF THE DAY

### AUDIT STATUTE LAW AMENDMENT ACT, 2003

### LOI DE 2003 MODIFIANT DES LOIS EN CE QUI CONCERNE LA VÉRIFICATION DES COMPTES PUBLICS

Resuming the debate adjourned on April 19, 2004, on the motion for second reading of Bill 18, An Act respecting the Provincial Auditor / Projet de loi 18, Loi concernant le vérificateur provincial.

**The Deputy Speaker (Mr Bruce Crozier):** The member for Simcoe North has the floor.

**Mr Garfield Dunlop (Simcoe North):** I understand I have five or six minutes left in my comments from the previous day of debate. I’m pleased again to stand and make a few comments on Bill 18, An Act respecting the Provincial Auditor.

It was brought forward by the Honourable Greg Sorbara, the Minister of Finance, who will have a very difficult job coming up next Tuesday, May 18, budget day. It should be an interesting budget, trying to keep all those promises made to the citizens of Ontario, particularly that one promise. Mr Speaker, you probably remember that one, where Mr McGuinty says on TV, “I will not raise your taxes.” That will be the most interesting piece of the budget we’ve ever seen.

I’m hearing today some of these pathetic petitions on keeping the budget in the House. If you remember, just to put it on the record, the budget in 2003 was read outside of this House, only. All pre-budget consultations, all debate, all the lead-up, all the committee hearings, everything was done according to what you would call parliamentary tradition and it was done in the Parliament of

Ontario. You tried to demonize our government for doing something very innovative at the time, and of course we paid for that. We lost the election. There’s no question about it.

That was seven months ago, and they’re still treating us like the government. We’ve had seven months to listen to this nonsense of the Liberals trying to demonize the Conservatives. Now, here we are with this new Bill 18, An Act respecting the Provincial Auditor, and we’re going to debate that as well.

One of the things I’m really concerned about is the democratic renewal process that we talk about and how it fits into fixed election dates and the Americanization of politics here in Ontario. I wonder, will we be called governors and congressmen and all those sorts of titles or will we remain MPPs? I’m curious about that because, as you try to work into fixed election dates, you are definitely Americanizing the politics here in Ontario.

I know that’s one of Mr Sorbara’s pet peeves. He’d just love to have fixed election dates. He had a private member’s bill on this and he went out of his mind when we called it the Americanization of Ontario politics, prior to his being the Minister of Finance, back when he was on the front row right over here. He was very upset about that.

**1530**

On this side of the House, we call this the Sheila Fraser act, because, of course, what a neat year to bring out a Provincial Auditor—an Auditor General is what it will be called. This is the one year we’ve got an Auditor General who’s really out there, working hand in hand and doing her very best to clean up what we would call, basically, corruption in our federal system. We don’t know how many millions it is now. I guess it’s over a billion dollars that had been paid to advertising firms, etc.

Yes, I agree with Sheila Fraser. We need to have more accountability and more transparency. There’s no question in my mind about that. Sheila Fraser has brought that forward in Ottawa. I give her a lot of credit as the Auditor General for a job that I consider well done under extreme pressure from the new Prime Minister, Paul Martin, who thought he was going to coast to victory with 51% of the support of Canadians back in October when he took over the role. Now he’s dwindled down to, what, 27% or 28%? He looks like the cat that swallowed the canary right now when you see him out in public. I guess he’s afraid. He’s obviously afraid because he may, in fact, not gain a majority government, may not gain a minority government, and he’s got his back against the wall because of the transparency that we could not see in the federal system.

I know that when we go through this bill, there are a lot of very interesting points to bring forward, but we look forward to it going to committee. We look forward to the comments that will be made at the committee, bringing in different people to speak on this particular bill. I’m interested a lot more in how the bill affects democratic renewal here in our province. I know we’re also paralleling this with the Government Advertising

Act, and we continue to talk about government advertising, what's partisan, what's not partisan. We're quite interested in how all these sorts of things will come together as a piece of legislation.

I know that some of my other colleagues have a few comments to make today as well. I want to thank God that it's finally got warm out, because it will help our tourism operators to have some nice weather, but I'm telling you, this building is like an oven here. I don't know how everybody else is finding it. It's very warm as far as I'm concerned. But hopefully the nice weather will bring out the golfers and get our recreational activities going, the resorts around the province. There are a lot of people who have had a difficult winter and a very, very difficult 2003, with SARS, mad cow, the blackout and all those sorts of things. So let's hope we do have a good summer this year and that the tourism operators thrive.

I was glad to hear the Minister of Tourism this afternoon mention very briefly some of the programs the government's operating—of course, the programs that our government had as part of the Ontario tourism marketing partnership. They are programs that are well worth marketing our great province.

So, Mr Speaker, I look forward to more debate on Bill 18, the Auditor General act or the Sheila Fraser act, and I thank you for this opportunity to speak to it today.

**The Deputy Speaker:** Questions or comments?

**Mr Peter Kormos (Niagara Centre):** I'm going to be taking the floor in around eight minutes' time to speak to this bill on behalf of the NDP, but during the course of these two minutes, I think it's interesting—oh yes, the Sheila Fraser bill, how interesting—because, hot off the wires, on the Globe and Mail Web site, I just read the news item that charges have finally been laid.

Two actors busted in Ottawa—"popped," as they say out on the street—undoubtedly not having to rely upon their legal aid duty counsel lawyers. I read in the paper, just fresh, as I say, hot off the wires, one Mr Charles Guité charged with six counts of fraud, totalling \$1,967,000. Another accused is one Jean Brault, the president of Groupaction Marketing, also charged with six counts of fraud, totalling \$1,967,000.

What's newsworthy—because, of course, these people are presumed innocent—is that Mr Guité is now going to sing like the proverbial Tweety Bird. Mr Guité is now highly motivated to talk like he's never talked before. Mr Guité is now highly motivated to no longer protect political players in this scandal. In fact, if anything, he has, I dare say, an incentive to let the cat out of the bag, to spill the beans.

*Interruption.*

**Mr Kormos:** That's OK. That child is better behaved than most of the members of the Legislature ever have been, I tell you. She's welcome here any time.

So I'm looking forward to—there was a young person—

**Mr Dave Levac (Brant):** You scared her.

**Mr Kormos:** That's right. This is a scary place for children. It's a scary place for any rational person. But

there's a young child up in the gallery who wanted to participate in the debate. Quite frankly, her contribution seemed as valid as any that has been made today.

I will be speaking to this in a few minutes' time and look forward to the opportunity.

**The Deputy Speaker:** Questions and comments? The member for, and I want to get it right, Stormont-Dundas—no, I'm going to get it wrong.

**Interjection:** Ajax-Pickering-Whitby.

**The Deputy Speaker:** Ajax-Pickering-Whitby. I apologize. I get the two of you mixed up.

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** We're close, but I'm not sure the member opposite, who's from Whitby-Ajax, would necessarily appreciate that. It's Pickering-Ajax-Uxbridge, at least for the balance of this Parliament. Subsequently, the riding will be redefined yet again. It seems to be redefined each and every time there's a realignment, and probably that speaks in part to Bill 18 and redefining the Provincial Auditor as the Auditor General into more current parlance, as well as some of the roles. But my riding, as I was just saying, has gone from Pickering to Pickering-Ajax to Pickering-Ajax-Uxbridge. Next time around, it will be either Ajax-Pickering or Pickering-Scarborough East. It's a constant change.

The change from the Provincial Auditor to Auditor General will, as I say, bring things into more current parlance in respect of the function and descriptors of that particular role. But it's really interesting, as you begin reading the legislation itself, some of the items that have come to the fore that the public wouldn't be aware of and how important a role the Auditor General will be playing if this legislation is passed.

I want to draw attention just to one part, and that's section 11, the power to examine under oath. It says, "The Auditor General may examine any person on oath on any matter pertinent to an audit or examination under this act." That speaks highly, I think, to the democratic principles by which we operate and highly to the Auditor General and that function: to be able to call upon individuals to provide evidence under oath, to ensure that the finances of the province of Ontario are being managed in a fashion appropriate with the legalities of good fiscal management. This is good legislation that will reflect well on this Legislature.

**Mr John O'Toole (Durham):** I have spoken in the past on this Bill 18 by Mr Sorbara, but I was impressed when listening to the comments made by the member from Simcoe North. He does put his heart into a couple of very good issues that I think need to be listened to, and his advice respectfully to the Minister of Finance, Mr Sorbara, in his considerations for the role of the auditor. That is that our federal experience—you know, when you see Sheila Fraser, the work she has done, I think the same empowerment here in Ontario—I have nothing whatever to criticize on any of that.

Paul Martin in Ottawa, if you want to look at a Liberal example of what's going on, is kind of shutting down the Liberal-dominated public accounts committee, not

allowing them to report because, "There's an election." I'm not sure if it's the \$100-million scandal, for those viewing, that the Liberals in Ottawa are trying to cover up.

I look forward to the expanded role. I'll be supportive of the expanded role of the auditor. There are a couple of sections here: the freedom to ask questions, and certainly under the Freedom of Information and Protection of Privacy Act—I don't want to suggest it, but the more intrusive government becomes, the more the privacy of the individual becomes a concern to me and to others. If you have nothing to hide, I guess you have nothing to fear.

But I really think that in our circles here, we need to have openness and accountability and transparency. We've all heard those terms, but if they really wanted to strengthen this—because I support it—they would be requiring that pre-election promises, platforms, should be costed and audited. That clearly wasn't the case—Dalton McGuinty had 230 promises. There was a 60-page document that we tried to get. We've been denied access to that report, and the Liberals clearly don't want to commit on any of the promises. But you know, if they do the right thing here and accept just one amendment that I'm bringing in, bring in the disclosure of pre-election, I'll be supportive of it.

**1540**

**Mr Levac:** I'm not going to spend any time talking about what previous governments did or what federal governments did; I'm going to talk about the bill. The bill itself is what the people want. The people have been telling us, over the time that I've been elected, that they want transparency; they want accountability; they want to be able to know that if there are going to be taxes, it's going to be spent in ways that we want to focus on.

The Auditor General—it is now going to be the Auditor General, by the way, in this bill; they're going to change that—is going to basically say that if you're a funding organization and you receive money from the government through the taxpayers of this province, you're going to be audited: value-for-money audits. What is wrong with that? That is the thing that tells me that we're on the right track. It says very clearly that those monies coming into these coffers and the way they're going to be spent are going to be looked at by a third party, a reputable person who knows the audit of the province of Ontario, and they're going to say, "You know what? This is where you're spending the money; here's where you're wasting the money. Here's where you're spending the money; this is where you can improve spending the money." The other thing about the legislation is, it's going to come back to the Legislature and it's going to hold the government accountable for making sure that those audits are paid attention to.

The second component to it, in a nutshell, is saying, "You know what? We are sick and tired of party after party, government after government, saying that your budget is over here, and then we get hold of it, it's over here. A curse on all their teams."

Look, the people of Ontario have caught on. They're making it quite clear that all they want to see is that when an election comes by, we won't be playing this game of, "Well, you're actually over-budget or under-budget or this budget or that budget." The auditor is going to give you a transparent picture of what those finances look like in the province of Ontario when the election comes. That's the second component to this that I know, no matter how you try to twist or spin on all sides, is what the people of Ontario want. They simply want to know that you're spending properly the money, the taxes, you're collecting from them.

**The Deputy Speaker:** The member for Simcoe North has two minutes to reply.

**Mr Dunlop:** I'd like to thank the member from Niagara Centre, the member from Pickering-Ajax-Uxbridge, the member from Durham and the member from Brant for their comments on my speech on Bill 18. I appreciate their efforts on the piece of legislation and their comments as well.

I would like to talk a little bit about what the member from Brant mentioned. I guess the whole purpose of making sure that our transfer agencies, which receive, of course, most of the money we collect here in the province of Ontario, are accountable. My understanding—this is going to be the difficult part with this piece of legislation—is that all of these organizations are already audited. If you go to a school board, they have an auditor who comes in and gives a financial statement at the end of the year. My understanding is that it's very detailed and very complex.

I don't know how much more you can do with those audited statements. I'm not an auditor; I don't know. But the fact of the matter is, maybe this legislation will allow you to overrule the audit that they already have or overrule the audit that the hospitals have. But I simply don't know how you intend to implement a piece of legislation in that manner.

Second of all, as taxpayers, I think we want every penny that we collect in the province—or the federal government or the municipal government—spent as efficiently as possible. All governments talk about accountability and transparency and all those key words, but it's always a challenge to make it happen.

So we'll listen to other comments on Bill 18 and take our judgment based on that. I thank you, Mr Speaker, for this opportunity to say a few words this afternoon.

**The Deputy Speaker:** Further debate?

**Mr Kormos:** Speaker, if I may, I seek unanimous consent to defer the NDP leadoff on this until the critic is here.

**The Deputy Speaker:** It has been requested that unanimous consent be given to stand down the NDP leadoff. Do I have that? Agreed.

**Mr Kormos:** Thank you kindly, Speaker.

I'm going to speak to a couple of elements of the bill. One of the issues, of course, is that you can give the auditor all the powers in the world, but if the auditor doesn't have the budget to do the work, it's academic; it's really academic. So all of the talk about enhancing

the auditor's power, increasing the scope of what he's to examine, means zip, zero, nada if the auditor doesn't have the resources, including the staff and the budget, to do the work. You know full well that that's been a serious concern of our now retired auditor Erik Peters for a good chunk of time. You've got to put your money where your mouth is, I say to the government. You can't call upon the auditor to increase the scope of his or her work—its work—without enhancing the budget.

One of the backdoor means or tactics, strategies, used by a government in manipulating the auditor and the auditor's office is to control the purse strings. The last government did it to the point where it was becoming embarrassingly obvious. And I say this to you: That's why I look forward to this bill going to committee, and one of the people I hope we call upon, should this bill go to committee, is Erik Peters, the retired Provincial Auditor, who has some real expertise and insight. We're in the process now of hiring, because the auditor of course is an officer of the assembly. Hopefully, the government will uphold the tradition of there being unanimity around the appointment of the new auditor. So that's a very important issue.

The other interesting element is section 6 of the bill, which amends section 4 of the Audit Act. It creates a clear 10-year term, with no entitlement to reinstatement or a renewal of the term. You take a look at section 4 of the act as it exists now, and it was basically an appointment for life, subject to the retirement age of 65. Now we're seeing a clear 10-year term with no prospect of renewal.

That takes us back to the interesting debate we had—not much of a debate, because only New Democrats were speaking to it—about a motion to renew the appointment of our privacy commissioner. That was precisely what some of the comments from the New Democratic Party were all about: The fact that there is a prospect or a possibility of renewal of a term doesn't mean it is a necessary avenue that's going to be pursued. So I've got to tell you—and I'm interested once again in committee—the 10-year term is one that I find particularly appealing.

As I indicated during debate around the privacy commissioner's appointment, it's important that the people in these roles of officers of the assembly do not feel beholden to any government or any individual within government. It's important that they know they've got absolute freedom. Quite frankly, it's tantamount to the independence that we give our judiciary, for instance. A fixed term says to that person, who in this instance will be the newly named Auditor General: "Your function for the next 10 years is to do this particular role or task with no fear of recrimination. You don't have to worry about sucking up to the government that happens to be the government of the day toward the end of your 10-year term because you're not going to get renewed anyway. So there's nothing to be gained by sucking up to the government of the day."

In our experience, at least in the recent past—my recent past here at Queen's Park—we've been especially

blessed with the personality of Erik Peters, one tough, effective auditor, no two ways about it. Peters is smart, he's tough and he was an equal-opportunity auditor. He tore a strip off governments of all political stripes, and did it without hesitation.

I should tell you, like everybody else, I was back in my riding on the weekend—yesterday—for Mother's Day, at the Hungarian Hall, down on Hellems Avenue in Welland. They had a Mother's Day lunch that they have every year. I was sitting at a table with some just incredible people. I was sitting there with Mary Stutz, who turned 90 in October last year. She's going to be 91 this year. She was there for the Mother's Day lunch with two of her daughters: Lillian, who's her middle daughter, and her youngest daughter, Mary Jane. Again, Mrs Stutz is going to be 91 this year, looks a fraction of her age, sharp, just a delightful woman. But a fascinating story. Her maiden name was Ellis. It's a Hungarian name, believe it or not. Ellis is the Anglo pronunciation. Mr John Stutz, her husband, passed away. He was Hungarian as well. Mrs Mary Stutz was a Hungarian from Transylvania, a Romanian-Hungarian, because, as you know, that Transylvanian part of Romania is Hungarian ethnically and, quite frankly, during the communist regime Ceaușescu in particular was very oppressive. He tried to Romanize the names and tried to snuff out and crush the Hungarian language, the Magyar language.

#### 1550

The fascinating thing about Mrs Stutz was that she was born on Sixth Street in Welland and, at a very young age, in 1922, as a matter of fact, at the age of eight or nine, her family goes back to Romania, to Transylvania, from Welland—what was Crowland—where she was born. Then, at the age of 13, her father, a labourer, takes his family to Havana, Cuba, to live. So in 1927 this woman is living in Havana, Cuba, until she reaches the age of around 15, when she moves back to Canada, gets married at the age of 16 and has her first child, which wasn't unusual in those days. But just an amazing history.

I talked to her about Havana. Many people, of course—Canadians—flock to Cuba. She has vivid, clear recollections of old Havana. I encouraged her daughters, for instance, and said, "Please, take your mother." They've never been back to Cuba. The daughters have never taken mom, Mary Stutz, back to Cuba. I said, "Please take your mom to Havana." Havana, as you know—it's not as if it's been torn down to build new high-rises. Havana hasn't changed. It's like a living museum. As a matter of fact, the United Nations has recognized the core of Havana as an internationally acclaimed world site.

I was just so pleased that Mary Stutz—the thing that would just tickle me to no end would be to talk to her after she's done a couple of weeks in Havana and had a chance to visit some of the very spots that she lived in as a Hungarian immigrant, as a Magyar immigrant.

Imagine the courage of these people. Think about that. Here's a woman who's own family was the Hungarian

minority in Romania, had to deal with that; moved to Canada, where she was born, on Sixth Street in Crowsland. So she grows up learning Hungarian with her parents and probably a few words, at least, of Romanian, plus English, which was the language of her mates and students, and then to go back to Hungarian Romania, where she would reinforce her Hungarian language skills, and then move to Spanish Cuba—from the age of nine or 10 to 13, through to 15, living in Spanish Cuba. A fascinating woman, like so many people out there in our communities and so many of that immigrant community—I just wanted to tell you a little bit about Mary Stutz. She's a great Canadian.

You know, we've got all these big, high-profile, TV kind of people, those reality show personalities. Jeez, give me a break. Real heroes are people like Mary Alice Stutz, still living on her own in the family home down on Hellems Avenue in Little Hungary. You know what I'm talking about—Park Street, Griffith Street, where the Hungarian Catholic Church is, the Hungarian Hall, and of course the Hungarian Presbyterian Church of Reverend Maria Papp is just down the road. That was the core of the Hungarian community. Fascinating people.

I say to you that when the next Liberal takes the floor with respect to Bill 18, there should be a strong, clear, commitment to (1) public hearings around this issue; (2) that we in this Legislature have to be told in no uncertain terms how the auditor is going to maintain its independence, when an essential element of its independence is adequate funding. I say that the funding, the approach to funding, and the formula, have to be as transparent as the auditor's work and what the auditor is called upon to do; and (3) the control of that funding has to be removed from the political personalities. In other words, the auditor's office itself has to play a far more critical role in determining the adequacy of funding. I'm not purporting—I'm not pretending—to have that formula at the tip of my tongue here and now, but as I say, I know that Eric Peters would be interested. I'm hoping he would be interested in participating and giving us some insight into that.

I mentioned earlier, the auditor—again, we're adopting the federal title, Auditor General, for the Provincial Auditor, because other speakers have mentioned Sheila Fraser, the federal Auditor General, who of course blew the whistle, blew the top off the Liberal corruption scandal in Ottawa, which is far from over.

Today, yet another interesting stage, when we see very serious criminal charges laid against Charles Guité, a former public works and government services Canada official; and Jean Brault, the president of Groupaction Marketing. They were busted. Now, let's be fair. When people like this get busted, it's not like Cops on TV, where they go running down the street in their undershirts and the cop tackles them and twists their arms up around their back. It's not like that. It's sort of, "Mr Guité, would you mind dropping by with your lawyer and we'll process this. We won't ruffle your \$2,000 suit." Again, it wasn't like Cops.

You see, if you get busted for stealing \$2 million of taxpayers' money, like Mr Guité does, you get treated with kid gloves. If you're some kid and you scoop an Oh Henry off the shelf, they do a real number on you. So what's the moral there? What's the message there? Go big or go home?

In any event, the scandal in Ottawa—Guité was the guy—people across Canada know Guité's name because he was the proverbial Tweety Bird. He sang at the House of Commons hearing on the Liberal theft of taxpayers' money. Who was it who acknowledged that Guité had showed such incredible restraint working for the Tories—in other words, didn't rat them out—therefore, he was suitable? Remember that? The reference was made that when Guité was hired, one minister said, "You were so good not ratting out Mulroney and the Tories—

**Mr Tim Hudak (Erie-Lincoln):** Dingwall.

**Mr Kormos:** Dingwall, yes. So Dingwall said, "Yeah, you're a pretty solid guy. You're like a made guy, like one of Tony Soprano's guys. You're a good guy. You didn't rat out the Tories, so we'll hire you too, because we don't want anybody to rat us out." The fly in the ointment here of course, is that Guité is now busted. Down where I am come from, \$2-million frauds get you anywhere from, what, two to six years, Hudak?

**Mr Hudak:** What are you asking me for?

**Mr Kormos:** You just might know. I don't know. You're the only person here who would be willing to assist me in this.

So two to six years is maybe—and I don't want to be inappropriate. So this guy's looking at two to six. Let's say six years. If he goes down on it, six years. Now he's not going to do hard time. We're not talking about KP, Kingston pen. We're not even talking about Millhaven.

We're talking about some rich guys' jail where they've got tennis courts—maybe with the murderer from Saskatchewan, Thatcher, the guy who murdered his wife. Maybe the same joint that Thatcher's in. That's right, put one of these guys in the same cell with Thatcher and they can take turns being cellmates.

The thing is, if you thought Guité sang at that hearing in Ottawa, just wait until he gets together with his lawyers. He's going to sing arias. He's going sound like the Mormon Tabernacle Choir. He is going name names. He's going name names ad infinitum. He is, because he watched—what's that HBO series—Oz, or something about jails? Guité watches that TV series Oz and goes, "Holy moly, I don't want to go jail. Not my style." I've got to tell Mr Guité that jail isn't the worst place in the world, but guys like him don't want to go to jail. So he's going rat out, I bet you. But the problem is, he's not going rat out soon enough.

**1600**

It's fascinating. Isn't this a cute little diversion for Mr Martin? All of a sudden he can say, "Oh, no, it wasn't me. I didn't have my hands in anybody else's pockets." Oh, please. "It was this Mr Guité, this renegade." You see, the problem is, that might cut it but for the fact that Guité has only popped for \$2 million of the \$100 million

plus, as much as \$250 million, of taxpayers' money that was stolen.

So you can lay off some of this on to one Charles Guité, but there's still \$248 million left unaccounted for. Please understand me: Mr Guité is innocent until proven guilty beyond a reasonable doubt. Quite frankly, Mr Guité may be the fall guy here. He may be the scapegoat. How convenient—what do you think?—to have Mr Guité charged.

Does it take some of the heat off Paul Martin and his gang of thieves? Does it? What do you think? Does it take some heat off Paul Martin? Do you think there's some design to this? I'm not suggesting collusion in any conspiracy on the part of the RCMP or whoever busted Guité, but it's just oh so convenient. So Martin thinks he's going to now get away with saying, "See, it was Guité." But Guité is only busted for \$2 million of the \$250 million. There's still \$248 million. So there are a lot of charges to go around. That's all I'm saying. There's going to be lots left for Paul Martin and other major Liberals. There'll be jail cells ready with their names on them in due course, make no mistake about it. What can I say? Fascinating.

Of course, the Paul Martins and the political hacks will say, "Oh, the matter is before the courts now. We can't speak about it." Oh, yeah, that's a convenient cop-out. Jeez. I'd like to be a fly on the wall in the room when Guité's high-priced lawyers say, "Well, crown attorneys, have we got something for you. Let's make a deal." Monty Hall's Let's Make a Deal, that's what it's going to be. We'll make a deal, all right. We'll give you some big carp because all you've got is a minnow here, all you've got is little, teeny—

**The Deputy Speaker:** Perhaps the member for Niagara Centre in the last two minutes could refer to Bill 18, please.

**Mr Kormos:** I've only got a minute and 45 seconds left, and if I didn't throw Bill 18 into the hopper at this point, I have been delinquent in my sense of responsibility to you, Speaker, and your colleagues, your brother Speakers, all of whom I have the utmost regard for and whom I respect and admire sincerely, and for whom I have affection as well. Please, don't take it the wrong way, but I just want you to know that I respect and admire the Speakers in this chamber, and I appreciate your direction because you basically tipped me off. You said, "Look, there's only a minute and 12 seconds left, and if you really wanted to wrap this up the way you started"—because I started with Bill 18. I got around to wonderful 90-year-old Mary Stutz, the Transylvanian-Canadian who I just have the greatest admiration for, with a fascinating life. These people are living bits of Canadian history. Fascinating.

Of course, then we got talking about Guité getting busted and about how Guité undoubtedly will sing now and rat out a whole bunch of high-profile Liberals because he ain't going to jail alone. You know what I mean? He ain't going to be on that prison bus all by himself. There are going to be some cellmates there, and

they can take turns doing dress-up, or whatever the case might be. But he ain't doing that time all by himself; he's sharing. I suspect, as I say, there are going to be some cells with some high-profile Liberal names on them at any number of posh federal penitentiaries, because again, he ain't going to Millhaven. If Martin goes down, he ain't going to Millhaven either. They'll be bunking with Thatcher and riding horses and golfing, but time is time.

So there you are, Speaker. I thank you very much for your patience with me this afternoon.

**The Deputy Speaker:** Questions and comments?

**Mr Pat Hoy (Chatham-Kent Essex):** I'm pleased to rise in the few moments given to me to speak about Bill 18, An Act respecting the Provincial Auditor. It's in the name of the Minister of Finance, the Honourable Greg Sorbara.

This is a very important bill. The Provincial Auditor is one of the most respected persons who assist this Legislature and, by extension, the people of Ontario. With this bill, the Audit Act is amended to change the title of the Provincial Auditor to Auditor General.

Just a bit ago there was mention made about what the democratic renewal that we might bring forward would do to titles and names here in this provincial Legislature. There was a suggestion that perhaps "MPP" could change to "MLA," member of the Legislative Assembly. I know that when I talk to students in particular, they are somewhat confused from time to time about our role here as MPPs as opposed to the member of Parliament, which is the federal jurisdiction.

There was also a comment made about, would the leadership here become a governor? I don't suspect we might go that far in our democratic renewal, but I know that one of the Premiers here in Ontario, Mr Harris, was referred to as having a governor style. His poor attendance record was one of the things that contributed to that, as was his American style of politics.

We have had changes here. In the past, the Minister of Finance was called the Treasurer; the person was the Treasurer of Ontario, and we made a change to finance minister.

It will be interesting to see all of the changes brought forward under Bill 18.

**Mr Joseph N. Tascona (Barrie-Simcoe-Brampton):** The Provincial Auditor act, Bill 18, is looking to enlarge the powers of the Provincial Auditor, who's renamed the Auditor General by Bill 18, to conduct special audits of grant recipients, crown corporations and their subsidiaries.

There's an issue with respect to the definitions in terms of reviewable grants and whether they are wide enough to include school boards, universities, colleges and hospitals. The province at present has the authority to order special audits of these institutions. Now the Auditor General will be able to carry out such audits without formal request.

While this bill may be sufficient as far as it goes, it should be amended to give the Auditor General the power to begin to operate under it immediately. I really

don't know why the delay to another fiscal year, which would be 2005.

The other question is, what's the balance to be achieved between the protection of privacy and the use of information by the Auditor General, and what resources will be dedicated to the Auditor General to ensure the ability of the office to carry out work under this act? I know the previous Provincial Auditor was always looking for more money and more resources to deal with the issues that were put before him. That had been increased over the years, and that's certainly what we'll be looking for under this particular bill.

The term of office of the Auditor General is to be 10 years, non-renewable. I think the question is, as the member for Niagara Centre put it, does this apply to the present auditor? That's something that is not addressed in this bill.

Once again, the bill doesn't go to work until April 1, 2005, and that's too bad.

**Mr Levac:** I'm glad the previous speaker mentioned that it's too bad it's not quick enough, because he realizes there's a problem and we have to address it right away, as soon as possible.

Some 80% of total government spending is outside the auditor's domain, and what's rather interesting is that we had that much time to deal with it. Again, 80% of the spending is outside the domain of the auditor, and the auditor can't take a look at that expenditure. That doesn't make sense. We've got to get it in there. That's what this bill is doing. That's the good news. The good news is, we've recognized that.

Here are some of the things that were failed in the previous report, the last fiscal year's report, which I find rather interesting: We had \$60 million of unpaid fines that the auditor saw; we saw 150 different types of security risks that weren't dealt with by the previous government; We had delinquent parents, shall I say, in terms of their payments to the Family Responsibility Office, to the tune of \$1.3 billion—\$1.3 billion uncollected.

#### 1610

The auditor needs the authority. He needs to expand the scope of his purview. I will address the member from Niagara's concern. It was stated in this House—and we can check Hansard to make doubly sure, because I don't want to say it unless it's true. The bottom line is, there was reference to the fact that it was identified that, with these extra responsibilities we're giving the auditor, there was an acknowledgement that it would require more staff and finances in order to accomplish that.

Having said that, here's another one I think you'll find interesting: 90% of the calls to a call centre in the Family Responsibility Office get a busy signal. That requires repeated phone calls.

These are the types of things that the auditor will do. He's going to take a look at value-for-money audits for institutions such as school boards, universities, colleges, hospitals and crown-controlled corporations, like Hydro. Somebody earlier mentioned the internal audit. This is

the audited Auditor General and it will be complete and tell us what's wrong.

**Mr Khalil Ramal (London-Fanshawe):** I'm honoured to rise in this place to speak in support of this bill. After I listened to many speakers in this House, I gathered a lot of information about Bill 18. I think it's very important to our government to pass that bill in order to deliver accountability and transparency to the people of this province, who give us the honour to be in this place and to protect their interests.

I listened to both sides of the House about the importance of that bill and how Bill 18 will bring transparency and accountability to all levels of government. I was listening to Mr Kormos. I will speak, in my 10 minutes' time, in detail about his comments on Bill 18, and also to the member from Simcoe North.

It's very important, as I mentioned, in this bill to put the whole agency, the whole institution, under the control of a person who knows exactly how to spend the money and will make people accountable for every penny being spent. The people of this province work hard to give us taxes to be reinvested in the institutions like schools, hospitals, daycare, infrastructure, etc—not to be wasted, like it has been in the past eight years, on friends and people who are in the favour of the past government. That's why I'll speak in support of that bill.

**The Deputy Speaker:** The member for Niagara Centre has two minutes to reply.

**Mr Kormos:** As Mr Ramal indicated, he'll be taking the floor in a few moments' time, so his folks in London should be tuning in to listen to Mr Ramal speak to Bill 18.

One of the interesting observations is that there's a suggestion by some of the participants in this debate that somehow the Auditor General, as head office will be called if the bill succeeds, should be doing more investigations. That's what causes me concern, because it is basically putting the auditor into a supervisory role.

I say to the member for Brant, do you need the auditor to tell you that it was stupid to have 90% of the calls to a call centre not being answered? That's what ministers are for. That's why they're paid the big bucks. You shouldn't have to have the auditor come in and spend thousands and thousands of dollars of taxpayers' money doing that investigation. You don't have to be a rocket scientist. Shelley Martel and I, back in 1996, simply walked into the joint. Mind you, it was very early in the morning and we had a video camera with us—

**Mr Levac:** It was legal.

**Mr Kormos:** —and all charges were eventually dropped.

You don't have to be a rocket scientist. You didn't need an auditor in there with a team of accountants and forensic people. Go in there and look.

So what's going on? We increasingly have ministers—and not just in this government; we've seen a pattern over the course of the last 10, 15, even 20 years, in this country, federally and provincially—who don't fulfill their role in the ministry, who aren't asking the

tough questions of their bureaucrats. Now, mind you, there's a danger inherent in ministers doing that, because the DM, of course, doesn't report to the minister; the DM reports to the Premier. If the DM is not pleased with how that minister is probing conduct in affairs within that ministry, that DM can have you cut off at the knees. But it causes me concern. They were saying, "Oh, we need the Auditor General to do this." We need ministers to accept the responsibility, and accept the responsibility toward taxpayers.

**The Deputy Speaker:** Further debate?

**Mr Ramal:** I'm rising this afternoon to speak in support of that bill because, as I mentioned in my two-minute speech a few minutes ago, it's very important to our government to pass that bill. This piece of legislation is about accountability to the people of this province and giving the Auditor General more authority and more power in order to control and monitor the spending in this province.

Before I go on, because I have a lot of things to say about it, I'd like to mention that I'm sharing my time with my colleague from Kitchener Centre. I think he'll also do a wonderful job in support of that bill.

I listened with great interest to the member from Niagara Centre about Bill 18. I didn't find anything mentioned about Bill 18, except for a few minutes in the beginning, when he was talking about finding enough resources for the General Auditor to do his job, which I agree with. Unfortunately, I guess the member was just talking about an honourable lady whose name is Mary Stutz. She's a Rumanian-Hungarian-Spanish-Canadian lady, which is wonderful. Many of the people in this province came from different places to enjoy the freedom and democracy of this land and to enjoy the services of the government. I'm one of them.

But what happened? In the last eight years we had a government that wasted our resources, mismanaged the whole revenue in this province. That's why the honourable member from Brant mentioned that about 90% of phone calls had been unanswered and the honourable member from Niagara Centre said it was the minister who was not doing the job. Well, that's correct. It's a good answer to a good question. That's why we have to have the Auditor General in charge, to make every person—every member at the government level or every organization that receives money from the government—accountable for every penny they spend, for every job they do and for every time they spend.

I went to the records to look at some information about Bill 18. What astonishing information. I think the member from Niagara Centre will love this information: The Tory government failed to address the serious backlog in the court system; millions of dollars have not been collected; the family responsibility act about deadbeat parents not paying the money for their poor kids, who badly need the money, which is about \$1.3 billion, and on and on. The list grows every single time you open a file for any ministry, for any agency the past government was looking after.

It was also interesting to listen to the member from Simcoe North talking about how come every member from the government stands up to talk about the deficit, the \$5.6-billion deficit they left for us to deal with, how come every single time we manage to do it. I think he said it's been seven months and we're still crying about it. We're not crying about it. That job over the last eight years is very difficult to correct in only seven months. I can tell the member from Simcoe Centre that I guess we're going in the right direction. That's why we're bringing forward Bill 18, to control and monitor all the activities in the government, and then we wouldn't have the problems. We wouldn't have to face such a dilemma as we're facing right now.

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I was also listening to the member from Niagara Centre when he was talking about the federal government, about the Sheila Fraser report and how Mr Paul Martin's government made everybody accountable and laid charges on the people who were responsible for wasting taxpayers' money. Maybe some people are saying, "It's not important to us; it's not relevant to talk about federal government issues." But as Ontarians we live in a great country that we call Canada. We are part of this waste and we are part of the mismanagement. That's why we are looking to the federal government and the government of Ontario to be accountable to the people of this province and of this great country to manage our spending and not let anyone—it doesn't matter what title or position they have—waste our money.

I was happy today to hear that the people responsible for mismanaging the money in the federal government are going to be prosecuted, charged and also jailed. It's very important, and it's a great signal about the importance of transparency and accountability that the federal government will apply to the people of this country. In the same fashion, our government is trying to apply accountability and transparency and make every person in this province accountable for taxpayers' money, unlike what happened in the past, when we had a government that didn't care about wasting money and about mismanaging money. For example, at Hydro One they had a lot of people employed and the CEO was making \$2 million. One person, writing one e-mail, got how much? One hundred and five thousand dollars, and others and others. At the same time, we have a disaster in the hydro institution in this province because all the money that was supposed to be going to enhance and update the institution was going to friends of the past government. We have to pass the law to make every person accountable for the money of taxpayers who work hard to make sure our revenue is enough to look after health care, education, social institutions and the infrastructure in this province.

Philosophically, every person gives up his or her rights to a body we call the government to act on our behalf, to manage our daily life. We trusted the body that we call the government for the last eight years, and what happened? They mismanaged every penny we paid,

mismanaged every minute of responsibility to give to the people of this province. That's why we inherited chaos in the education system. We inherited chaos in the health institutions. We have a disastrous infrastructure across the province that will cost us billions of dollars to rebuild and fix. That's what we call accountability. The Auditor General would be responsible to manage and monitor very well every minister, every government official, every person in this province to make sure he or she is doing the job right for the people of this province.

That's why I'm honoured this afternoon to rise and speak in support of the bill. I believe this bill puts the McGuinty government on the right track to restore democracy and freedom, restore accountability and send a clear signal to the people of this province who gave us the right to be here on October 2 to look after their interests, look after their tax money, look after their institutions, health care, education, infrastructure, streets, hospitals, everything concerning daily life in this province.

It's important to our people and to members on both sides of the House to support this bill. This is not just about our government, the Liberal government, but about every government that will come in the future, to make sure that every penny that is being collected in this province is spent wisely and efficiently, is spent in the right place, and that it benefits everyone from north to south and from east to west.

I'm honoured I've had the privilege to speak in support of this bill and I hope every member of this House will speak in support when it comes to voting on it, because the passing this bill is important to all of us and the people of this province.

**Mr John Milloy (Kitchener Centre):** I want to begin by congratulating my colleague from London-Fanshawe for his presentation on this important bill, Bill 18. I will be speaking in favour of the bill today because I think it's an excellent piece of legislation which I imagine will find support on all sides of this House.

I think it might be worth a second look at what the specific purpose of the bill is, both for the debate here and those watching at home. The purpose of the bill, as has been noted by other speakers, is to strengthen the Provincial Auditor's powers. In fact, the bill will rename this officer the Auditor General. What would it do? It would expand the Auditor General's powers to allow him or her to conduct value-for-money audits of institutions in the broader public sector. These would include things like school boards, universities, colleges, hospitals and crown corporations, including Hydro One, OPG and their subsidiaries.

A lot of people have thrown around the term "value-for-money audits" today, and it might be worthwhile to define it before getting into the essence of the debate. The question the Auditor General will be asking when he or she looks at these institutions is, was the money spent with due regard for economy and efficiencies? He or she will ask whether appropriate procedures are in place in these institutions to measure and report on the effectiveness of the program.

Under the bill, organizations affected by the legislation would be required to provide the Auditor General with information and access to their books and records. The Auditor General would also receive the authority to include the results of any examination in his or her annual report.

I think it's important to stress a few things as we get into the essence of the debate here. The Auditor General reports to this Legislature. The Auditor General is an officer of this House. When I look around at my 102 colleagues, I can't think of a reason why any of us would vote against having an officer of Parliament have more power to report back to us, the elected representatives. Individual MPPs are often criticized because they don't seem to have a lot of power. Here is a bill which gives us power. It gives us power to have an independent officer of Parliament go out and ask the tough questions, go out to institutions which up to this point were not covered directly by his or her powers and get to the bottom of the state of their finances.

What's behind this bill? I would argue that there is a new attitude toward government spending in our province, a new political culture. I believe the people of Ontario—and this was highlighted during the recent election when for the first time I had an opportunity, as a candidate, to knock on doors, to find out that people don't believe in the old ways any more. This isn't a partisan observation. I think when you look at what's gone on in Canada, in difference provinces, in different governments of different stripes, we see an old culture.

Everyone in this Legislature, I would gather, is interested in politics. Many of us could tell old stories of 20, 30, 50 years ago, when you'd go to a certain rural area and wonder why there was one beautiful paved road, and you'd find out that the Premier of that particular province had a cottage there. You hear the old stories of driving through rural parts of a particular province where you'd notice the road was smooth and wonderful till you came to a particular point, and then it was rough and bumpy. You'd go on and it would be smooth again and then it would be rough and bumpy. You'd ask someone what was going on and they'd say, "Well, that's a government constituency where the road is smooth, and that bumpy road in need of repair is an opposition constituency."

I'm old enough to remember candidates who would run for office saying, "I'm going to go to Queen's Park"—or Ottawa—"to get a particular institution for our riding." "I'm going to bring home the bacon," they'd say. It's no surprise that Kingston, the home of our first Prime Minister, is also the home of the prison system, which back then was seen as bringing home the bacon.

When I talk to voters in my riding, they're telling me it's over. Yes, they want a fair share. The people of Kitchener Centre want proper services and their fair share of provincial programs etc, but do you know what they want more than anything? They want to know there's a careful use of our dollars by the government, that the money is spent wisely, that the money is spent efficiently and that there are real results.

1630

As we look around at government, we see ourselves with black holes. We see ourselves with programs, with institutions, which just ask for more money, which just suck in the money, yet we have no accountability.

What the voters have told us as a government, and certainly what they told me as a candidate, is that tax dollars are far too precious. They want governments to account for their money. People tell me they don't mind paying taxes, don't mind if once in a while there's an increase for a particular service, but they only want that if they can be certain that the money is being spent wisely and efficiently not only for that service but across the board, that there aren't other programs or institutions where the savings could be found first.

The interesting thing about this bill is that it complements this view. People say that government is government is government. There are all sorts of institutions out there that receive government funding, yet for many years they've been sheltered. They haven't been counted. There have been two classes of government. There's what goes on at Queen's Park, with the immediate Ontario government, and than there's that list of institutions I outlined in the beginning: crown corporations, hospitals and the like. The voters are saying to me, "Hey, enough is enough. We are giving those institutions public money, taxpayers' money. We have every right to make sure that money is being spent efficiently and effectively."

This isn't about going after anyone. Many of these groups I've talked to—that is, the institutions in question—support this bill. I remember during the campaign meeting with some representatives from my hospital board. They said they'd welcome having the Provincial Auditor come in. It would demonstrate to people that they are running an efficient organization. The other thing to realize is that auditors aren't always about "gotcha." They're not always about coming in and finding the scandals, finding the front-page headlines. They're about coming in and asking the tough question and saying how you could do things better. Many good managers will look at an auditor's report and find in it a tremendous amount of value, a tremendous amount of instruction and a record of how they have done things and how to improve things, how to make things more efficient and cost-effective.

There is a sad dimension, though, to this bill, that the public has unfortunately lost a lot of faith in politicians and governments and have put more and more into auditors who they rightly seen as independent. I think this level of cynicism has reached its height in Ontario with what happened in the recent election.

The Premier, the other day—I'm just going to take a second to review. The Premier shared with this Legislature—I have the quote here from Thursday, May 6—some of the things that were said by the former Premier, the now Leader of the Opposition. I'll quote our present Premier. He said, "You will remember that the election took place on October 2. You will also want to

recall that on September 22 on CHRO, then Premier Eves said, 'No, we will not be running a deficit this year.' On Global TV on September 27, a few days before the election, he said, 'We will balance this year.' On CKVR, on September 30, he said, 'We will balance this year.' Then, during the course of the leaders' debate," which obviously our Premier would remember, "right in the thick of the campaign, he told the people of Ontario, 'There won't be a deficit this year.'"

When we came in we discovered, unfortunately, a \$5.6-billion deficit. Talk about raising the level of cynicism in this province. What has the opposition's response been? I'd like to quote from Wednesday, May 5, when the member for Simcoe-Grey—Mr Speaker, you will know that the member for Simcoe-Grey is a long-standing parliamentarian, a former minister. He stood up and asked the Premier a question. He said, "I want to ask how you, Premier, in good conscience, could tell the people of Ontario that you would balance the books and not raise their taxes when you knew there was a deficit last year.... Your own finance critic ... said there might be a deficit.... The Fraser Institute said there would be a deficit." In other words, the member for Simcoe-Grey stood up asked the Premier of this province why we trusted his government. This is how surreal it is. We have a party that went around saying the books were balanced. Now they are criticizing us for trusting them.

The only answer is to have more independent verification. The only answer, unfortunately—and this is the sad dimension of the bill—is that the only person the voters can trust in this sort of surreal situation is the Auditor General. That's why we are standing four-square behind the Auditor General, that's why we are giving the Auditor General increased powers and that's why we are making sure that every nickel of public money spent by the Ontario government is spent fairly, justly and efficiently, which is why I stand in support of this bill.

**The Deputy Speaker:** Questions and comments?

**Mr O'Toole:** I just want to comment on the remarks of the member for Kitchener Centre. He drew me into this because of his outrageous remark. I always remember that when you're involved in an election with enthusiasm, when you know everything is on the line, the people you're speaking with, the trust—they're vulnerable and are hoping or assuming that what you're saying is true. I remember those multi-million-dollar TV commercials with Dalton standing there, kind of smugly, actually, leaning up against a phone booth or something and saying, "I won't raise your taxes, and I won't lower them either." He was trained. He had special communications people training him. He still looked insincere even then, with all that multi-million-dollar backdrop.

But if I look at the heart and soul of this place, I remember quite well, as a member of the finance and economic affairs committee, Gerry Phillips, who really—I shouldn't say this because I don't mean to insult Mr Sorbara, but I think Mr Phillips said it. He should actually be the finance minister because he has no cloud over him. The first audit function I think the new auditor

should do is to audit Greg Sorbara and this whole Royal Group Technologies issue. Mr Phillips said, "Really, what I want here"—

**Mr Levac:** On a point of order, Mr Speaker: I've referred to this standing order several times in the past, and this one seems to be outstanding in terms of the accusation he's making against a member in this House.

**The Deputy Speaker:** Thank you.

**Mr O'Toole:** I think the whip of the party is trying to get the rest of the people in line, because they all see this. They see what actually happened here. When he was promising the people of Ontario, Mr Phillips said that they knew there was a hole in the road, that there was a problem. Premier Eves at that time said, "We're going to fix it." We had some serious numbers in the budget, about \$3 billion worth of expenditures that were going to be paid for by the sale of certain assets.

But I can tell you this: The one thing is that you have to trust the leader and the Minister of Finance. Clearly, the first function of the audit should be to trust—

**The Deputy Speaker:** Thank you. Questions and comments?

**Mr Kormos:** I was pleased to hear the comments by the member for London-Fanshawe. I want people to know that he spoke without notes. He spoke off the cuff. He spoke from the heart. I disagree with him fundamentally about Bill 18, but so be it.

We still get back to the issue, though. I've seen auditors' reports now for a good chunk of time, a whole lot of years. What is going on? Why aren't ministers—most of the stuff ain't rocket science. Most of the stuff that the auditors have unveiled over the course of years and years and years isn't stuff that's hidden away. From time to time it is, and then the auditor's role becomes very obvious and important. But for most of it, like I say, it ain't rocket science; it's there, it's obvious. I mean, any doughhead could witness it and blow the whistle on it. So most of the preoccupation with the auditor becomes, "How can I weave and bob and avoid any direct blows to my government"—to one's government—"to my ministry"—one's ministry—"in the course of the auditor's report?"

It was interesting. I saw the newspaper article that Mike Harris is taking some weekend courses in ethics at the Rotman School of Business. Far be it from me—the irony is obvious. But having said that, maybe some more contemplation by ministers about what their ethical responsibility is and what their commitment ought to be would relieve the auditor of a whole lot of the incredible new burden we're putting on them, for which I am confident this government is not going to adequately resource the auditor. The government is sucking and blowing once again. It looks good, sounds good, but at the end of the day, taxpayers are going to get screwed again.

1640

**Mr Kevin Daniel Flynn (Oakville):** It's a pleasure to rise today and join with the members from London-Fanshawe, Kitchener Centre, Durham and Niagara

Centre in the debate on Bill 18. I come from local government, as you know. We're extremely accountable to our constituents at the local level. That's why I was a little surprised when I arrived here and saw how things were treated—treated a little differently than they are around a council table.

What we do at the local level, at budget time, is we have our citizens come forward. They bring us ideas and advice. Sometimes it goes on for three or four evenings. The treasurers from the region or the town are there. All the appropriate staff are there to answer the questions. As a politician, you get to look your constituents in the eye and say, "Yes, I'll support that," "No, I won't support that," "I think that's a good idea," "I think maybe we should change that."

What you cannot do, what it's illegal to do at the local level, is to run a deficit. As a municipality, you're not allowed to run a deficit. That's something that certainly should be illegal. I hope, as a result of this, we'll make it illegal to run a deficit and not tell the people about it, as happened during the last term of government. If you're going to run a deficit, tell the people about it. If you're not running a deficit, than it doesn't really matter, does it?

What I hope this act will do as well is prevent another boondoggle at Ontario Hydro and Ontario Power Generation. That should have never happened in the first place. Under the previous government, it did. It will never happen again, I hope, as a result of the passage of this legislation. What this legislation does, if passed, is it gives the Provincial Auditor expanded powers that that person sorely needs to make sure that the conduct of the finances of this province are always in order, are always open to scrutiny and are always available to the public.

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** I want to comment on the presentation from the member from Kitchener Centre. He mentioned that people don't mind paying more taxes. Well, they're certainly going to get their way under this government, because they're going to be paying and paying and paying. When they're done paying, they're going to pay some more.

I want to talk about this deficit he keeps talking about. When that budget was tabled, no one could have predicted the impact of SARS, mad cow, the power outage and all of these things. But during the campaign, the then Leader of the Opposition, Dalton McGuinty, went on ad infinitum and said, "There's a deficit. There's a deficit of about \$5 billion and we can prove that." But now he gets elected, and all of a sudden it's just a big surprise.

This act is just a smokescreen to cover up for the fact that this government doesn't know how it's going to handle the fiscal responsibility that they have as the government. So they're trying to bring in all kinds of pieces of legislation to try to dump more on the previous government. But 2003 was an unprecedented year in the history of the province with regard to unusual occurrences. So now this new government wants to hammer the old for everything that was unpredictable. Six months before SARS happened, not a member on that other side

had ever heard if it; wouldn't have known what it was. So it's a totally unbelievable situation that happened in 2003.

Now they're capitalizing on it, but during that campaign, in spite of the fact that he said there was a deficit, he signed the Taxpayer Protection Act and said, "I will not run a deficit." We know what he's planning to do. He wants to repeal the act. Shame on him.

**The Deputy Speaker:** The member for London-Fanshawe has two minutes to reply.

**Mr Ramal:** After I listened to all this talk and debate, the response from both sides of the House, I was surprised. The member from the opposition right now is questioning us. Did we know about the budget deficit? No, we didn't know. That's why we need an auditor, to make sure that all the information released by the past government will be correct for the next government in order to build our strategy, to build our vision for this province.

I want to tell my colleague here on my left side, the member from Niagara Centre, when he said, "Why do we need an auditor? Why would I give him responsibility? We have our ministers; we have our ministries. We have a government that should be responsible for those," that's correct. We had it in the past, for the last eight years. But that ministry was sleeping, that government was sleeping, blind, their eyes on their friends who have taken and stolen the money from this province. All the taxpayers are upset about it. They were spending money left and right, giving millions to their friends.

Also, my colleague from Kitchener Centre never mentioned extra taxes. What he said was that the people of this province don't mind paying taxes, but they want to know where their tax money is going—not to friends of the government, not to special institutions, to pump up the Premier or the ministers etc. They want to see it go in the right direction: to health care, to education, to social programs, to infrastructure, roads, hospitals. That is what the people of this province want from us and asked us to do.

That's why we are asking for more authority for the Auditor General to be above everyone, above every governmental position, in order to restore democracy and freedom, in order to restore justice and honesty to every level of this government. It's not about just being in power.

**The Deputy Speaker:** Further debate?

**Mr Hudak:** I'm pleased to rise in debate on Bill 18.

There are a number of areas that I'd like to address in my remarks, but just to reflect back a little bit, the member for Niagara Centre does have some interesting points. As I think you've heard from the official opposition, we are generally satisfied with Bill 18. We do have some suggestions for changes and improvements to the bill that I will speak to and I know my other colleagues have spoken to already, but it's a fair point in terms of increased responsibility being given to officers of the assembly as opposed to ministers or the committees that we have in this Legislature. It will be interesting to see

what themes the McGuinty government pursues in this vein. There's certainly a lot of talk about eliminating what they would call the democratic deficit, improving the rights of individual members and such, which I think all of us in the assembly would agree is a good thing.

One wonders if there is an increased role, for example, for some of the committees made up of members to do a better job of ensuring there's accountability for government spending—as opposed to simply having members of the government side being apologists for a particular minister or department at that time, actually sharpening their nails and their teeth a little bit and doing a solid job of pursuing some of these items that the Auditor General, if this bill passes, will be pursuing.

It certainly seems to me, just as a very casual observation, that the role of the committees at the federal level seems to be much stronger than they are currently here in the province of Ontario. They are probably not strong enough. I think, Mr Speaker, you as well as other members of the assembly hear that they wish individual members had more authority in the Legislature, a greater latitude to investigate concerns and could feel, if they were very aggressive on a committee—an accounts committee, for example—they wouldn't in any way fall into disfavour with the Premier's office or the minister's office for being too dogged in their questions, that they wouldn't have any fear of falling into disfavour, thereby limiting their chances for advancement.

I would suspect, and I'm certainly no expert on this, that there's probably a greater role for committees in the British parliamentary system.

I know the Attorney General, for example, is bringing forward some reforms. Maybe we'll hear more about that.

*Interjection.*

**Mr Hudak:** I'm not trying to be partisan in the initial part of my comments. I am interested in hearing what the Attorney General brings forward. I know our own veteran member of the assembly—or one of the two, Norm Sterling from Lanark-Carleton—is, as well, doing his research in this area to try to find ways of strengthening the role of individual members, strengthening the committee process, as opposed to increasingly giving power to the minister's office or the Premier's office and to third parties, officers of the assembly. So I think it is a fair debate that the member for Niagara Centre brings forward, and we'll see how the two themes mesh: increasing the role of the Auditor General through Bill 18 vis-à-vis increasing the role of individual members.

On that topic, I do have a concern about the democratic reform, that we may adopt some method of proportional representation where you have individuals who are not elected. Mr Speaker, you have to go back home to your riding every Friday through the weekends, when the House is not sitting, and be accountable.

*Interjection.*

**Mr Hudak:** The member goes back to Windsor-Walkerville to be accountable to his constituents. I worry about a parallel system of MPPs who would be here and

elected but not accountable to individual taxpayers; they would be accountable simply to the party apparatus or the Premier's office. I hope the Attorney General's recommendations will stay wide and clear of those types of changes that would bring in two types of MPPs—one accountable to the communities, and one quite the opposite—and that instead we'll see some strengthening of committees and strengthening of individual rights of members.

**1650**

That having been said as a general overview of themes, I think there's a lot of good in Bill 18 in terms of expanding the role to Auditor General, as renamed if this bill passes, from simply Provincial Auditor, as it stands today. A lot of this is reminiscent of Mr Bart Maves, a colleague of mine, a good personal friend whom members who were elected before 2003 remember quite fondly. He was a hard-working member for the Niagara Falls and Niagara-on-the-Lake areas. In 1996 Mr Maves, PC member for Niagara Falls, brought forward Bill 89, the Accountability Improvement Act. It had its first reading on November 5, 1996. That act, Bill 89, would improve accountability of hospitals, school boards, universities and colleges, municipalities and other organizations which receive payments from the government, much like what Bill 18 says in its preamble and what we hear in debate here in the Legislature.

Mr Maves, as far back as 1996, had brought forward amendments that I think, at least by the themes, are largely the same. He pointed out that the Legislative Assembly of Ontario funds, through ministries, over 7,000 governing bodies for many different types of organizations; 48% of government funds separately governed recipients—\$28 million. Bart had some excellent points that were far-reaching in 1996. I do recall that under Finance Minister Eves, and then Premier Eves, we made some steps forward in this regard—probably not far enough at the end of the day. Sometimes you do run out of time, but I want to give proper credit to Mr Maves, who brought this idea forward some eight years ago. I think Bart had the same sort of frustration I did, particularly in the mid-1990s, when you were guaranteed an increase in your property tax rates pretty well every year. There was tremendous frustration from average taxpayers and parents whose education property taxes would increase, guaranteed, year after year, almost always by double-digit increases.

I know that some of the colleagues across the way who were municipal politicians found it extremely frustrating, because they ended up taking the blame for these tax hikes, more so than the trustees. People would see the property tax bill increase and they'd go after their local politicians, but not only local politicians. Parents and taxpayers were very frustrated with what they saw as significant and constant increases in property tax rates without seeing the quality reflected in the classroom. I think we had some important points then. The precise stats now slip my mind, but we saw a vast growth in spending at the school boards and the administration, to

the detriment of classroom funding. That's why, if Mr Maves's act had passed at that particular time—if this act passes today, there will be another layer of accountability to ensure that those tax dollars are actually going into the classroom.

I think there were tremendous advances in this area. Coming from Niagara, being a member of the Catholic school board system, having attended Notre Dame College School in Welland in the days when Catholic education was not fully funded, we have seen tremendous advances, I would say, in the quality in the classroom and in the financing going to both boards in the Niagara Peninsula, particularly the Catholic boards. It resulted in new schools like St Mark in Beamsville and St George in Crystal Beach, to name but two, for some old buildings, or to reflect growth in those areas. Certainly the quality of supply and support in the classroom is substantially different from what I remember it being as a student in that system some time ago.

I think some advances have been made in that respect. Certainly the funding formula, while never perfect, did make improvements in the classroom, particularly to the boards in the Niagara Peninsula, where I would have the closest encounters. Nonetheless, as has been said here in the Legislature, this bill would apply to some 80% of the spending that I believe goes to what they call the MUSH sector: municipalities, universities, school boards and hospitals. I spoke a bit about school boards and the value that the Auditor General could bring to bear. Strides have been made, improvements have been made, but you could always do better. The Auditor General could, for example, ensure that if there is a school textbook fund that is brought forward, as it was a couple of times by the Mike Harris and Ernie Eves governments, to buy new textbooks for students, the dollars actually go to textbooks in the classrooms. That would be one example of the role the Auditor General could play in making sure there is full accountability for tax dollars. So I certainly see a value in that.

I would highly recommend that we maintain that change as well brought about in the mid- to late 1990s that took away the power of school boards to levy local taxes. I'd spoken about that earlier. I think that the way we do things now is much more appropriate. I think it's a more accountable system, the funding formula is an improvement, and you're away from that year-after-year tax increase that hits particularly seniors and working families the hardest.

I know that the Liberal Party had a couple of different positions on this, initially saying that they would allow, I think, up to a 5% raise in local property taxes for education, and then backing away from that initial promise. I hope they stay the course and do not give back local property taxing to school boards.

Hospitals as well are significant recipients of grants from the province of Ontario. In fact we had brought, under Tony Clement as Minister of Health, a new system into place where the hospitals came forward and demonstrated to us—somebody who plays a similar role to the

Auditor General; it was a similar theme—how they were spending taxpayers' dollars and the results that they were receiving, and increasingly trying to tie funding to results, for example, staffing of emergency rooms 24 hours a day—very important to Douglas Memorial Hospital in Fort Erie, Port Colborne General Hospital in Port Colborne, Haldimand War Memorial Hospital in Dunnville, and of course West Lincoln Memorial Hospital in Grimsby, to name four in the Niagara area that benefited from that particular funding envelope.

Secondly, particular projects so nurses could be hired in small rural hospitals, funding to ensure that doctors could staff for hospitals in underserviced areas—solid programs that did have reporting mechanisms back to the Ministry of Health, but if Bill 18 were to pass, it would be an opportunity for the Auditor General to be a second check to ensure that those funds are going to the purposes that were proposed.

Bill 8, currently before the justice committee, takes it even a step further than this, where it creates a sort of hybrid reporting process where the CEO of a hospital would have to report back both to his or her board—the tradition of local governance in Ontario—and also to the bureaucrats of the Ministry of Health. I think this sort of half-choice, this hybrid model, will ultimately be unsuccessful because you're tearing this administrator in both directions. You either have him or her report to the board, and then you could ensure that the board does fund the projects that have received funding and are properly assigned, or they become employees of the Ministry of Health, which I think has happened in other jurisdictions. You would choose one or the other.

I think this hybrid model, though, is doomed to failure. This, of course, would allow the newly named Auditor General to look at the hospital books one by one across the province of Ontario. It's that second valve, that safety valve to ensure that funding is going to appropriate places. But I'm not clear: If they have Bill 18 before the Legislature, why continue down that path of Bill 8?

Another example of a concern I have in Bill 8 that perhaps could be remedied through Bill 18, as opposed to the new Bill 8 legislation, is limiting the flexibility that local hospitals have—Haldimand War Memorial Hospital in Dunnville brought this forward—to make agreements with doctors so they'll staff the emergency rooms, or they'll have general surgeons so they could provide local services. Hospitals now have an ability to be flexible and to bring those doctors, badly needed, to rural Ontario, like Dunnville or West Lincoln, to name but two.

The proposal under Bill 8 would if I understand correctly, as it stands today force all hospitals to go through the Ministry of Health approval process. You would have to deal with that Leviathan, the big giant of the Ministry of Health, the largest ministry in funding in the entire province. I think you could probably have a snail on Quaaludes walking up a ramp reach its destination faster than some poor request from Douglas Memorial Hospital on a funding agreement to bring a doctor to the area. So I don't like that approach. Instead,

they could use the powers of Bill 18 to ensure that hospital funds are recruiting doctors fairly and not breaking any rules, as opposed to this real top-down process where each hospital would have to work up the ladder, from desk to desk, eventually up to the deputy minister's office simply to recruit a doctor for their community. By the time it gets through all of the paperwork and the approval process, that doctor may very well have gone to the States or another province. Bill 18 would give an avenue to do that, I think, much better than the current Bill 8.

#### 1700

Colleges and universities are also impacted by Bill 18. Currently, the Auditor General or, like I keep saying, the Provincial Auditor, would only be able to go into colleges and universities under what they call a "special audit." This would allow greater authority to investigate the books at colleges and universities.

On that topic, I think they're going to be relatively hard pressed at this point in time. While the McGuinty government has become notorious for breaking promises, some 20, I think—

**Mr Yakabuski:** At least.

**Mr Hudak:** —at least, to date, major campaign promises broken, they have moved ahead with the tuition freeze for college and university students. Initially, there was a cabinet document, I remember, that had leaked out that caused considerable debate in the Legislature and some embarrassing press for Premier McGuinty. They had talked about limiting the tuition freeze to a certain number of programs and a number of other areas where tuition could have gone up considerably, which would have been a clear promise break. Having had their hand caught and slapped by the press on this issue, they backed down and went ahead with the tuition freeze. Fair enough. The challenge will be, if you freeze that avenue of funding for colleges and universities, will there be make-up funding? Will the resultant funding from the treasury address that issue significantly or will we see quality or accessibility suffer as a result?

Secondly, is there an effort out there to ensure that the fees students pay, in addition to their tuition, are being frozen or will we see some backdoor funding increases going through, higher associated fees, let alone tuition paid by students at colleges or universities? Again, the Auditor General, I would expect, if this bill passes, would have the opportunity to look into that particular issue to ensure that college and university funding from the province would be going to improving the quality of education as opposed to simply meeting a campaign commitment, that the funding support would be there to support the quality agenda in addition.

One good point, as I was reading through some of the Hansard debate, that has been made is that while you're giving a great breadth to the Auditor General, if this bill passes, is there a funding increase that goes along with this bill? Will he or she be working within the same funding envelope? I think it's important for this legislation to say whether they'll just be choosing different

projects or whether they will be improving or increasing the quantity of projects at the same time. I hope during this debate, before third reading on this bill, we'll have that answer come forward, so that we can have a better expectation and understanding of how active the Auditor General is going to be or if this bill is simply a sheep in wolf's clothing, where it sounds like it's going to be quite tough and strong on the accountability agenda, but in reality because its funding has been limited will be nothing more than a sheep in that respect.

The other interesting point that there has been debate about—and I think we're still awaiting an answer—is that this legislation, if passed, would allow the auditor to only look at grants that take place after April 1, 2005—so the beginning of the next fiscal year. In effect, because the auditor, I expect, would look at funding envelopes of a particular program and he or she would probably look back over several years and determine whether it was an effective program, whether there was waste in that program, and offer options for improvement of that particular program, if the Auditor General can only begin on April 1, 2005, there's no back data to check. I would expect that it probably will be some time before that Auditor General can actually start poring through the books because there's going to be no data available.

Let's say on April 2 the Auditor General says, "You know what I'm concerned about? Some of the transfers that are taking place to the school boards. I want to make sure that this textbook program is going into the classroom and purchasing textbooks effectively." The Auditor General would not be able to look at past data or the past couple of years, but would only be able to look incrementally at what happens after April 1, 2005. I would expect that what we will be bringing forward as a proposed vote amendment, in that respect, is to allow the auditor to act much more immediately than a time after April 1, 2005.

Lastly, an interesting point too is that the term would be 10 years and non-renewable. I guess the goal there would be to ensure the Auditor General has no fear to try to cater a strong relationship with the government of the day, to be accountable and not worry about being reappointed or currying favour. On the other hand, the downside to the 10-year time period is, what if the Auditor General is not the best Auditor General? You're going to have a spectrum of strong Auditors General that are accountable and drive certain themes, and at the other end of the spectrum you may have some that are not as effective. So a 10-year term, if you're locked into an Auditor General who may not be as effective as members of the assembly deem appropriate, would be a limited option. It is a long time. They say two weeks is a lifetime in politics; 10 years is a millennium, I guess, if you extrapolate from there.

I'm pleased to speak to Bill 18. Again, I want to commend Bart Maves, who brought this initiative forward. I commend the members of the assembly who brought forward important advice on this bill. I look forward to some of my questions being answered as members of the

government side, or perhaps the minister, have time to reply. I look forward to the comments of my colleagues.

**The Deputy Speaker:** Questions and comments?

**Mr Mike Colle (Eglinton-Lawrence):** I was listening to the member for Erie-Lincoln, and it's quite a rare treat to see a member from the opposition actually stick to a bill before us. I commend him for talking to the bill. The interesting thing he mentioned is that the former member from Niagara, Bart Maves, had introduced the bill, but he fails to mention that the real crusader for this bill was John Gerretsen, the member from Kingston and the Islands, who was the chairman of the standing committee on public accounts, and who repeatedly stood up on his feet in this House and demanded that the previous government introduce his bill, which called for wider powers for the Provincial Auditor. So when you talk about credit, I don't mind giving credit to Bart Maves—he was a good member—but I think you've got to give credit to John Gerretsen, the member for Kingston and the Islands—Wolfe Island, Amherst Island, all those great islands there—that he championed this bill.

It's here before us and it's something we said we would introduce if we formed the government. And Premier McGuinty and the Minister of Finance have seen fit to introduce this bill, Bill 18, which is really a no-brainer. How could anyone in this House vote against this bill? I don't mind people talking about amendments—any bill can be made stronger. But each one of us stands for more accountability for the Provincial Auditor, and this gives the taxpayers, the people who pay billions of dollars in taxes, the assurance that someone is looking into all these other related parts of government, whether it be the hospitals or hydro, all these affiliated bodies. For once, they're also going to come under the scrutiny of the Provincial Auditor. I think that's an amazing, positive step forward. I would really like to see a reason why anybody would try to stop the Provincial Auditor from going in and looking at their books. I'd really—

**The Deputy Speaker:** Questions and comments?

**Mr O'Toole:** I was drawn into the discussion listening to the member for Erie-Lincoln. He did in fact bring in a few extremely important observations. I would like to follow up on that theme of paying close attention to Bill 18. One of the sections that I have some problem with—I'm just going to mention it here—is where it talks about the Deputy Auditor General. It looks to me like they're expanding the civil service there, clearly. The other thing I don't see in here, actually, is any money, like for the increased functionality of the new Auditor General—there's no money. We'll probably see it on the 18th; there'll be money for everyone on the 18th.

The other part, in section 4(2)—the people at home should listen to this—is, "The Auditor General continues to hold office after the expiry of his or her term of office until a successor is found." And if they're friendly, it could be 15 years. If you look at the next one, 4(3), "The Auditor General may be removed from office for cause...." No one's defined cause. So it's sort of like a push-me, pull-me here. There's room to move. It's vacillating, which is the Liberals' moniker.

1710

Section 9.1 is quite interesting as well. "On or after April 1, 2005, the Auditor General may conduct a special audit of a grant recipient with respect to a reviewable grant"—the whole idea here of reviewable grants, that they have established a need and now they're going to have a special audit.

Then in 9.2 it says, "The Auditor General may examine accounting records relating to a reviewable grant received directly or indirectly by a municipality." Municipalities go into partnerships with a local distribution company or other opportunities. This is Big Brother invading our lives, your life—and has less accountability, so they're exempting any control they have to the Auditor General.

**Mr Kormos:** Once again the issue is the adequacy of funding for the auditor. What was one of the biggest sources of business, if you will, for the auditor over the last eight or nine years? It was the privatization and private sector involvement of Andersen Consulting. Andersen Consulting's reputation was so thoroughly trashed that they've got to walk around now like they're in the witness protection program or something.

**Mr Colle:** They had to change their name to Accenture.

**Mr Kormos:** Accenture, yes.

*Interjection.*

**Mr Kormos:** I'm getting there. You see, here you go. Go back to SkyDome, a private-public partnership. Who got ripped off? Who got their pocket picked? Taxpayers. All three governments have dabbled in this sordid little business. None of them has worked out. I mean, they worked out fine for the private sector player. The private sector player—Andersen Consulting, Accenture—these guys, are like bandits. The Brink's truck was literally backing up to the Ministry of Finance, loading the cheese from the Ministry of Finance on to the back of the Brink's truck.

What I say to the government is, if you really want to do the auditor a favour, keep your promise to restore the public sector. Keep your promise to restore our public service. Keep your promise to restore health care to public ownership. Keep your promise—well, here I am, pleading with Liberals to keep their promises. Oh, please, how naive I am. Stupid me. Liberals keep promises? Please. That's a waste of breath and a waste of effort and energy. They've broken every promise. The Liberals promised anything they had to, anything they could, to get elected and then, post-election, have broken every promise they ever made. We can't count on Liberals to keep their promise. They are promise breakers, not promise keepers.

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** I just want to rise and speak in favour of the bill, which is a bill to amend the Audit Act and to give the Auditor General, as he or she will then be known, greater powers.

It's very important for the taxpayers to have the assurance that someone is looking over shoulders. These are dollars they have given through their taxes to our

province to use in a way that they feel will benefit them. They need to be sure that is exactly what is happening.

No one should be afraid of an audit. An audit is a way of ensuring that what is said is going to happen with the dollars is actually being done. I've talked to many people about the issue of audits and none of them has ever expressed a concern about being audited if they feel they are doing exactly as they said they would. I think the taxpayers in this province have a right to have that assurance, to make sure that someone is looking to where the dollars are being spent. It needs to be done.

The member for Durham mentioned Big Brother. I don't think this is Big Brother at all; I think this is the taxpayer having someone who represents their need to be sure about where the dollars are going.

Also, the member from Niagara Centre mentioned getting the pockets picked. That's exactly what people are afraid of. They want to be sure that everyone is accounting for the dollars they spend. These are public dollars and they have the right to know that their dollars are being spent properly.

This afternoon I actually had this very discussion with another person, and they were remembering the times when the dollars were spent on things such as big dinners and other amenities that really were not there to serve the public.

Those are the kinds of things on which we need assurance, and an auditor will certainly make sure that the dollars are spent properly.

**The Deputy Speaker:** The member for Erie-Lincoln has two minutes to reply.

**Mr Hudak:** I appreciate the members' comments on my remarks. The member for Eglinton-Lawrence talked about the member for Kingston and the Islands. I didn't mean to denigrate his role in this. I wanted to give a salute to the member for Niagara Falls from 1995 to 2003, Mr Maves, who brought forward that bill—was it Bill 189? Mr Maves's comments in those days I think are rather informative. In 1992, the member for Nickel Belt, then the province's finance minister, wrote to the Chair of the public accounts committee and said that he supported "any amendments which would allow the Provincial Auditor's office to continue their important role in ensuring that value for money continues to be received for all government expenditures." That was Floyd Laughren in 1992. In November 1995, the Liberal member for Lawrence, who I think was Mr Colle at that time, urged the government to make the amendments necessary to the Audit Act so the auditor could go in and audit some of those transfer payment recipients. So there's certainly a long history before Bill 18.

We'll see if the old adage that the money is put where the mouth is—to see the kind of resources that will be placed before the auditor, which would impact the quantity of his reports. Or, if the auditor is restricted in his funding, he will probably expend a lot of time and energy choosing which area to look into. But I think it will be interesting to look into the MUSH sector in more detail to see what the auditor brings forward.

The last point I was making is that this is not the only solution. The more we can do to empower the committees—the audit committee, by way of example—to give members greater freedom from fear of the Premier's office or from a particular minister's office, to actually doggedly pursue spending initiatives, I think would be an improvement and parallel to this bill. Lastly, I look for an answer on why this could only begin after April 1, 2005.

**The Deputy Speaker:** Further debate?

**Mr Michael A. Brown (Algoma-Manitoulin):** It's my pleasure to speak to Bill 18, An Act respecting the Provincial Auditor, this afternoon.

I think we should first salute our colleague John Gerretsen, who, as the Chair of the public accounts committee in the last Parliament, introduced a similar bill at least twice during the sessions. Mr Gerretsen at that point believed in accountability, in open government, in transparent government, and he believed that the Parliament needed to address those situations. I'll tell you why.

People sometimes forget that this is a big operation. The province of Ontario spends roughly \$70 billion a year. I think it would be the fourth-largest government on the North American continent in terms of spending, after the US government, the state of California, the state of New York—

**Mr Colle:** The federal government.

**Mr Brown:** —or the Canadian federal government, and then us. It is an amazingly large responsibility we all have for the taxpayers' money: \$70 billion.

If you do the math—I was fooling with my pencil a minute ago, and I discovered that that means each and every one of us here would have to be looking after \$700 million ourselves. That's a little bit more than most of us are used to. We need all the professional help we can get to do that. Of that \$70 billion, 80% of that is not spent by the Parliament itself. It is spent by agencies of the crown: transfer partners, other institutions, hospitals, universities, school boards, municipalities, by a host of other organizations. This bill permits the Provincial Auditor to have a look at our transfer partners to see that they're spending the public's money in accordance with value and to bring transparency across all of those institutions. When you consider that that is 80% of \$70 billion, this bill is long overdue.

1720

**Mr John R. Baird (Nepean-Carleton):** We should have passed Bart Maves' bill.

**Mr Brown:** That's true; we should have passed Bart Maves' bill. He also put a bill before us during the last Parliament. I'm amused when that comes from the opposition guys, who were government then and who could have passed their colleague's bill if they had chosen to do so. Nevertheless, Bart should be commended for his efforts to bring some transparency.

As the member for Algoma-Manitoulin, we all have some little pet peeves about agencies that operate for the provincial government. We sometimes wonder whether the public is getting their money's worth. I was at the Manitoulin Trade Fair on the weekend. My colleague

David Ramsay, the Minister of Natural Resources, and I were there at the opening. It's a great event. Probably 10,000 people or more went through there this weekend. The organizer, one Frank Reynolds, who does a terrific job every couple of years when they have this trade fair, presented me with an invoice. This invoice came from the Electrical Safety Authority.

**Mr Colle:** What's that?

**Mr Brown:** It was a downloaded agency. I think it used to be part of the Ministry of Consumer and Commercial Relations, but now it was downloaded—that particular agency was actually part of Hydro back then. Nevertheless, it stands alone.

Frank was quite incensed about this. This is a not-for-profit organization that puts on the trade fair. The bill is for \$1,073.21. The inspector was there all of an hour, to sign off on this bill for \$1,073 to a non-profit organization for having a look at their electrical system for the trade fair—a thousand dollars. Frank said that two years ago it was \$84. When he first started, back in 1989, I believe, there was no charge. The price has gone up. What value have we received for going from \$84 to \$1,000 over the space of merely two years? I think we need to have a look at that.

I think of the Technical Standards and Safety Authority, which is similar. We had an elevator that was put in—actually not a true elevator; a lift—at a community hall in Sowerby, just on the north shore of Lake Huron, a small little town in the township of Huron Shores. There apparently was a bolt that wasn't in the correct spot. It had been inspected once and it was found to be fine. On the second inspection it was found to be wanting. They were charged over \$600 for just a few minutes saying, "That bolt's in the wrong place. You're going to have to move it."

Someone is going to have to have a look at some of these agencies to determine whether the people of Ontario are actually getting value for money. That also occurs in many of the other agencies of the crown across all of Ontario. There's \$70 billion, and 100 members of the Legislature to look after it—a huge amount of money. People who have no direct accountability are making decisions that we here in the Legislature need to know are important to the future of Ontario, are important to getting value for money, and obviously, then, to the future.

We have not done a remarkably good job. I look, for example, at the famous Family Responsibility Office, which has caseloads that are absolutely incredible for each of our workers, which my constituents will tell you are almost impossible to contact, who are unable—

*Interjection.*

**Mr Brown:** We are owed, as a province—or the people who receive the payments—I think well over \$1 billion. I believe \$1.3 billion is owed to parents in this province who are raising children, because we have not made the decisions around the Family Responsibility Office that seem to give us value for money. In many cases, when the support payment doesn't arrive, it is the

taxpayer who pays. The taxpayer is the one who then has to support the children through community and social services. That is a huge cost, and it is a cost that is both unfair to the children and the supporting parent. It's also unfair to the taxpayer in general, and that's because FRO does not work quite as it should. I think the Provincial Auditor should have a look at that. I think the Provincial Auditor needs to have more powers, and that is what this particular piece of legislation does.

It is important that we continue to work very hard to make sure that the money we collect from taxpayers in their taxes is applied to services and that we all get value. We know that the Ministry of Economic Development, for example, spent \$4 billion on a strategic plan that no one has ever seen. We know that the strategic skills initiative spent 75% of its money on construction equipment instead of training people for skills. We know that we have various—and we'll all remember this—un tendered contracts and expensive trips by ministers. I think I remember a Minister of Energy who made some of those very expensive trips to Europe and was reimbursed by the people of Ontario.

I want to point out that many of our partners look forward to having this kind of value-for-money accounting done so that they are sure they can be accountable to the people of Ontario.

Mr Speaker, at this point I want to indicate to you that I'll be sharing the remainder of my time with the member for Guelph-Wellington.

**Mrs Liz Sandals (Guelph-Wellington):** Thank you to my colleague from Algoma-Manitoulin for his remarks.

I'm pleased to rise in the House this afternoon to speak to Bill 18, the Audit Statute Law Amendment Act. This bill, if passed, does a couple of things. The first sounds very technical, but it's actually quite significant. It says that the Provincial Auditor, who is going to be renamed the Auditor General, can have one 10-year appointment and cannot be reappointed. That's quite significant. What it means is that there's nothing to be gained by the Provincial Auditor in trying to curry favour with the members of the current government, because there is a fixed 10-year appointment and that's it. That means that the auditor can be totally independent of the Legislature. The auditor can look at issues and say, "This is what is wrong," and say very clearly to the public, "These are the straight goods about what's really going on with this program. This is where the government has failed and this is where the government needs to fix it," without any need to worry about his or her future career. So that's the first change.

The other is the larger change, which is expanding the powers of the Provincial Auditor. It's interesting that if you look at the spending of the provincial government and you take away the payment on the provincial debt, what you've got left, the money that's actually spent on programs in Ontario, 80% of that money is not spent directly by the government of Ontario. It's spent in the broader public sector by assorted transfer agencies,

hospitals, school boards, colleges, universities and a host of little transfer agencies, and by crown agencies.

At the moment, the Auditor General cannot do what's called a value-for-money audit, but we're going to change that. The Provincial Auditor, if this bill is passed, will be able to go into the entire broader public sector and do value-for-money audits.

I think the member from Simcoe North mentioned earlier that places like school boards and hospitals already have detailed internal and external audits, so why do we need the Provincial Auditor going in there on top of that? It's important to understand the difference.

### 1730

As a former school board trustee, when I had an internal or external audit done, it was for the purpose of verifying the books, to make sure the numbers added up and none of the money had disappeared, and that's good. We need to keep doing that.

But the Provincial Auditor's audit is a value-for-money audit. The Provincial Auditor asks questions like, "Was that money spent with due regard for economy and efficiency?" In other words, did the money get spent wisely? Second, "Were there procedures in place to determine if the money was spent effectively?" In other words, when the province handed over the money, did the province get what it was paying for? Was the money that the provincial government was paying this agency, board or crown corporation, whatever it was, the money that was given to that member of the broader public sector, actually spent in a way that delivered the program the province wanted to have delivered? That's very important.

It's been interesting because I have been sitting as a new member on the public accounts committee, and the public accounts committee examines the Provincial Auditor's report. We have been having hearings going through the Provincial Auditor's report reporting on last year, on the last year of the previous Conservative government. There's actually quite an interesting contrast between the sections of the report that are audits of the government itself and those audits which sort of veer into broader public sector issues.

For example, the auditor looked at the Family Responsibility Office, which we not too affectionately call FRO. FRO is something that directly belongs to the Ministry of Community and Social Services. It's a direct function of the Ontario government. The Provincial Auditor was able to go in and say that deadbeat parents—because what this office does is collect money on behalf of parents who have court orders which say that one parent is supposed to pay money to the other parent, the ex-spouse, for the purpose of supporting the children. The Provincial Auditor was able to go in and say that there was \$1.3 billion in the province of Ontario uncollected on behalf of families, and that 90% of the phone calls to FRO from outside the GTA get a busy signal. Furthermore, the way this office is set up, it's not really set up properly. The people who work in the office don't have any way, because of the way the computer system works, to know

if something goes wrong. They don't know if Mr Smith misses a payment to his ex-wife. The only way they know that something's gone wrong is if the former Mrs Smith calls up to complain. Think about what I just said: 90% of the time the former Mrs Smith can't actually get through, so she has no way to lodge a complaint. In this case, the Provincial Auditor was able to go in and tell us very clearly, "This is what is wrong and this is what you need to do to fix the problem."

Contrast that to what we found when we looked at some of our other agencies; for example, when we looked at the Ministry of Economic Development and Trade and looked at a program called the innovation trust, which is supposed to be funding research into innovative programs where we can build up new technologies, innovative new technology transfers—a marvellous idea. There has been almost \$1 billion spent on this program, but the \$1 billion went to a transfer agency. It wasn't directly spent by the ministry. The auditor had no way of knowing whether, in fact, the money was spent appropriately on the research that somebody had contracted to spend it on, no idea what the results of the research were, no idea whether that money was well spent. It may have been well spent, but because the Provincial Auditor had no way to go into those transfer agencies, he actually had no way of finding out if that \$1 billion was effectively spent, wisely spent. This legislation, if passed, will change that.

Another example: The auditor looked at children's mental health services, and children's mental health services in this province are not done directly. At that time it was the family, community, social services ministry. It's now been transferred over to our new Ministry of Children and Youth Services. But children's mental health services are not provided directly by the Ontario government. Children's mental health services are provided by dozens and dozens of agencies in communities throughout the province. Lots of them—most of them, I would venture—do a good job. But we spend hundreds of millions of dollars, and other than that it goes out—and somebody may give back an audited statement to show that the books balance—we don't really have a very good idea what happens to that money. We don't know whether the programs that are delivered are effective for the children. We don't know whether the children who are the neediest are the ones who are actually getting the service, because the assessment practices are quite inconsistent as you move from one agency to another. We know there are a lot of kids on waiting lists, but we don't know whether those overlap, so do we have the same kids on lots of different agency waiting lists? In the case of the program for autistic children, we do know that the previous government, in fact, did significantly increase the funding, but we also know that with the significant increase in the funding, we really didn't get many more children being served, and the Provincial Auditor can't tell us why because right now the Provincial Auditor does not have the power to do a value-for-money audit on those transfer agencies. That

will change in the future, and that is why I am supporting this bill.

**The Deputy Speaker:** Questions and comments?

**Mr Kormos:** I am glad the speaker mentioned kids with autism, because I remember the promise that was made by Liberals that they would end the discrimination that had been practised by the Conservatives that cut kids off from their treatment upon reaching the age of six. I saw it in writing. I remember the promise that Dalton McGuinty and so many of his candidates, including people who are now ministers in his cabinet—

*Interjections.*

**The Deputy Speaker:** Just one moment. I heard a word that I really don't like to hear in here, no matter how it's directed or where it's directed or how indirect it's directed. I wish the member—

**Interjection:** And he's not in his seat, either.

**The Deputy Speaker:** Absolutely. I'd appreciate it if the member would withdraw.

**Mr Baird:** I withdraw.

**The Deputy Speaker:** Thank you, Sir?

**Mr Kormos:** Thank you kindly, Speaker. Thanks for leaving me a minute.

Dalton McGuinty promised that he would extend treatment for kids with autism beyond the age of six. Dalton McGuinty broke that promise. We observed the other day that if you lie with dogs, you get fleas.

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** You said the word "lie" again.

**Mr Kormos:** We made that observation and, in fact, the source for that if you want to do the footnote—is biblical. So Dalton McGuinty finds himself lying with dogs, and he ends up getting—

*Interjections.*

**Mr Kormos:** Look, please. If Dalton McGuinty's going to lie with dogs, then he'll get fleas. The Premier found himself promising to extend treatment for autistic kids beyond the age of six, he said it was discriminatory, and he was eager to engage in the attack on the Tories. Clearly the Liberals said anything they had to to get elected, anything they wanted to get elected, not intending to keep any of those promises they made once they got themselves elected.

1740

**Mr Arthurs:** I'm pleased to be able to take a moment or so to follow up on some of the comments that have been made, particularly at this particular hour, since, although comments were made earlier in regard to the term of office for the Auditor General, it probably bears repeating to some extent in light of the fact that we probably have a whole new audience by 5:30, different from what we had at 4 o'clock.

The term of office, being a 10-year term, provides a degree of independence from a government, independence from the influence that might come from a government, potentially, so that the Auditor General can act in the fashion needed in the interests of the people of the province of Ontario. They can function unencumbered.

They know that, save and except as referenced in subsection 4(3), where they can be removed for cause, in the absence of that—and one would not expect that to happen—there's some longevity to the position of Auditor General. There's even the provision for a single reappointment, acknowledging that if that were to occur, in effect the Auditor General could have a term of 10, and if they were to be reappointed, a further 10 years. So a high degree of stability is provided if the Auditor General is doing the job that this assembly feels is appropriate.

In that long time frame there is the opportunity for that person to be familiar with the history that goes with the function, not just doing the job day-to-day, but having that built-in memory that comes with knowing what transpired before, aware of the pitfalls that might be there, with the prior audits and reviews of financial data, with the value-for-money audits. They bring with them, then, over an extended period that knowledge base, not only of the audit function but of how the province of Ontario works, how the audit functions work, how the agencies that may be reviewed function, all of which would be in the interests of the province of Ontario.

**Mr Baird:** I want to congratulate my friends from Algoma-Manitoulin and Guelph-Wellington on excellent speeches. People may have wondered, "Where was John Baird today during question period?" I wanted to tell them where I was because I know these two members were wondering and didn't raise that in their speech. I was in Hamilton, talking about broken promises with the Liberals. I'll tell you, people in Hamilton East are angry. They're mad and they're going to bring out that frustration on Thursday. They aren't going to get to see this budget, but they know how bad it's going to be. It's going to be most interesting, I'll tell you.

I also was with Stephen Harper, our next Prime Minister—

**Mr Tim Peterson (Mississauga South):** Prime Minister-in-waiting.

**Mr Baird:** —introducing our candidates in the greater Toronto area, good candidates. Prime Minister-in-waiting indeed, as the member for Mississauga South says. We introduced a bunch of great candidates who are running as part of the Harper team. It was very exciting, and we're thrilled about it.

I did listen to the speech of the member for Guelph-Wellington and the response by my friend Peter Kormos, the member for Niagara Centre, about autistic children, and I learned something today. Not only can you not call someone a—it rhymes with "pants are on fire"—but you can't say that the Premier isn't "pants are on fire," the unparliamentary word. The Speaker has now ruled—and I respect the Speaker's judgment and would not challenge him and his opinion, but you can't say the Premier isn't a—rhymes with "pants on fire." I thought that was rather interesting, because Dalton McGuinty promised little autistic children and their families that he would extend IBI therapy, and he didn't keep his word. If you can think of anything—

**Mr Kormos:** Didn't even intend to.

**Mr Baird:** "Didn't even intend to," the member for Niagara Centre said. If you can think of anything that's lower than not to be straightforward and to keep your promise to an autistic child or family, you tell me.

**The Deputy Speaker:** The member's time has expired.

Questions or comments? The member for Renfrew-Nipissing-Pembroke was up first.

**Mr Yakabuski:** I'm pleased to be able to speak to Bill 18 again. I can certainly tell the member from Nepean-Carleton that I'm going to have the pleasure first-hand of experiencing what he did today, because I'll be in Hamilton tomorrow. We'll be driving down there tomorrow and we're going to be working with our fine candidate to see that this Hamilton East—

**Mr Hudak:** What's her name?

**Mr Yakabuski:** Tara. Tara will be joining us in caucus, and we're looking forward to that. So it is going to be a great opportunity for me tomorrow to see just what's happening in Hamilton East.

I see members from other Hamilton ridings here today. They probably experienced it down there themselves working for their candidates that, boy, the Liberals are in big trouble because they're not keeping their promises. They're going to have to have an auditor just for the Liberals' promises. You're going to need a team of 10 or 20 just to keep track of how they break those promises. I'm going to find out about that tomorrow in Hamilton. I'm looking forward to that because it is important—

**Mr Colle:** John, I think you'd better take the train.

**Mr Yakabuski:** I am definitely driving down, Mike, because they tell me the QEW is just wonderful early in the morning. I'm looking toward to that, going through Burlington and over that skyway. I'm going to have a really good day.

While I'm there, I'm going to be asking the people in Hamilton: Do you feel that what has happened in the last couple of weeks gives a whole new meaning to the term "buy"-election? Because we have certainly seen a tremendous amount of buying votes going on in Hamilton in the last couple weeks. It's amazing—

**The Deputy Speaker:** The member's time has expired.

The member for Guelph-Wellington has two minutes to reply.

**Mrs Sandals:** I'm pleased to respond. Thank you to my colleagues for Niagara Centre, Pickering-Ajax-Uxbridge, Nepean-Carleton and Renfrew-Nipissing-Pembroke for their comments.

**Mr Baird:** I said something nice about you.

**Mrs Sandals:** Yes, you did; thank you. I'd like to particularly talk about the comments of the member for Niagara Centre, who somehow managed to collect autism and fleas.

Anyway, that aside, I would like to talk a little bit about the autism program, because, in fact, one of the things that the Provincial Auditor is very interested in is

why it is that you can go to one agency and have it cost \$40,000 or \$50,000 a year to provide a program for a child and when you go to another agency, at times it has been over \$100,000 to provide the same IBI program for a child. It makes no sense, which is why we need the Provincial Auditor looking at this, and it's also why we're working to reformat the autism program in this province.

In fact, we are going to extend IBI services to preschoolers. We are going to improve the training of people who provide treatment for autistic children, because the current program only provides a two-week training course. We're going to have a real community college training course for people who provide autistic treatment. We're going to provide a whole range of programs for autistic treatment because both parents and researchers tell us that not every child needs IBI, that many autistic children need other forms of treatment. That was neglected by the previous government, and we are going to make sure that autistic children get the programming they need.

**The Deputy Speaker:** Further debate?

**Mr Yakabuski:** It's certainly my pleasure today to speak to Bill 18, An Act respecting the Provincial Auditor. I have some disagreement with some of the points that have been made today that really don't have a lot to do with the bill, but in general terms I think we support the strengthening of the legislation surrounding the powers of the Provincial Auditor.

I see the name is going to be changed to Auditor General. However, to reflect reality, they're going to make the title Provincial Auditor General in order to escape confusion with the federal office.

The federal office is an interesting thing. Sheila Fraser is, of course, the federal Auditor General. Boy, she has had quite a time of it lately. I wonder if this new provincial government is bringing in this bill to try to deflect some criticism that may be in the offing that is due upon the federal government, which is going through quit a crisis. I think the actual majority-government mandate that Paul Martin cherished so much is in big jeopardy because of the Auditor General's report, because of her delving into the corruption and the scandal that we've been beset with within the federal government and their agents with regard to the sponsorship scandal in Quebec and the money that's unaccounted for. That is a big threat to the federal government and a shame for the Canadian people to have to be put through that, to look at their government in Ottawa and say, "My God, can we not trust any of them? Can we not trust a single one of them with what they're doing in Ottawa?"

1750

I think there's a certain amount of that, that they brought in part of this legislation because they knew what was going on in Ottawa and they wanted to make sure they got the jump ahead. "Hey, we're bringing in strong legislation. We want a strong Provincial Auditor here because we want everything to be just right. We're not going to be embroiled in any of these kinds of scandals

because this Liberal government in the province is above all that."

Again, as I say, I'm in general agreement with the terms of the bill, because there are a lot of positive things. It's good for the taxpayer to have a strong, powerful Auditor General. It is important that the taxpayer have confidence in the fact that even if there are some shenanigans going on on the part of the government, the Auditor General is going to catch them with their hand in the cookie jar, if they're doing things they are not supposed to be doing, and that they will pay the price. They'll pay the price at the polls when that stuff is exposed. I think they may be paying the price at the polls next Monday.

**Mr Hudak:** Thursday.

**Mr Yakabuski:** I'm sorry, the by-election next Thursday in Hamilton East.

**Mr Hudak:** They wish it was Monday.

**Mr Yakabuski:** Yeah, they wish it was Monday. They can't get it over with soon enough. Have you ever seen a by-election scheduled that soon? I've never seen anything like that in my life. But they're going to have that next Thursday and they might pay a little price at the polls there in Hamilton East, because already people are starting to wonder just what this government is up to.

They brought in this smokescreen Auditor General bill to try to deflect away from the fact that they haven't really brought in a meaningful piece of legislation since they were elected almost—what is it?—seven months ago.

**Mr Hudak:** About seven months now.

**Mr Yakabuski:** They haven't brought in a meaningful piece of legislation to this date.

This is one that nobody can really have a whole lot of disagreement with, because we all share the concern that anything that is going to strengthen the office of the Auditor General and give the taxpayer more confidence is a good thing. But there are some issues we have with the bill as well, and there are always ways that you can improve a bill.

One thing we have a problem with, for example, is that there's a piling-on effect here. You've got Bill 8, which basically tells the hospital administrators, "You have your job and you report to the hospital board, but we're going to circumvent that board now. As the Minister of Health, I'm going to be in charge. I want to walk into that hospital and do my thing. I'm going to be in charge and the board really doesn't have anything to say." If we have that power given in Bill 8, what are we doing having the Auditor General do that as well?

They have the power now, I see in the bill, to audit school boards. The new definitions for grant recipients and reviewable grants are wide enough to include school boards, universities, colleges and hospitals. The province at present has the authority to order special audits of these institutions, but now the Auditor General will be able to carry out these audits without a formal request. So they'll simply be able to say, "We're going into your hospital and we're going to audit it." Again, I think it's a

piling-on effect of Bill 8. We already have that. The minister has already usurped that power of the board to operate their own hospital in Bill 8, and now they want to add this on top of it.

One of the concerns I have with Bill 8—and maybe that should be audited. It's a very big bill. It talks about accountability in the health care system, but it doesn't address some of the real, significant problems we have in the health care system, such as the wait times for cardiac surgery and joint replacement. In eastern Ontario, where I come from, in my riding, you'd have to go to Ottawa to get a joint replacement. They are the longest wait times in the entire province. We're waiting 12 months to get a knee done. I have people calling me every day, saying, "John, I am in such pain I can't take it." I call the hospital, I call the doctors involved, and I ask them, "What is going on? Is this wait time necessary?" They tell me, "Well, we can look at the priority list and we can reassess this patient to see if it really is a priority situation." But the fact of the matter is that the government isn't doing enough to ensure that these joint replacements are done in a more timely fashion, to alleviate that pain more quickly for those patients who are suffering so greatly.

Another thing I find interesting about Bill 18 is that under section 12, the new section 9.1 limits the power of the Auditor General under this bill to begin work under the bill to after April 1, 2005. However, the Auditor General cannot go back further than grants received after this bill comes into effect.

What I find remarkable is that this is the retroactive government. Every piece of legislation they bring in, everything they want to do, whether it's tax credits for parents of students educated in a parochial or private school or whether it's the seniors' property tax credit, they want to do retroactively: "We're not bringing in this legislation today. No, we want to go back and take money out of your pockets that you've already spent." How draconian is that? "We want to take money out of your pockets that you've already spent. You don't even have the money. But we're going down there and we're

going to burrow if we have to, but we're going to get it out of you." They're the retroactive government, but when it comes to this bill with respect to the Auditor General, there is no retroactivity. They have a double standard. On one thing they want to be retroactive, and on another they don't believe in retroactivity.

As I say, there are some good things in this, but what's the government doing about some issues that are really affecting us? I had the opportunity to ask a question of the Minister of the Environment again today, and I've asked her questions before, about environmental issues with regard to stakeholders in my riding. I've made repeated requests to the Minister of the Environment for meetings. I have not even received a response. My first letter to her went out in November. I have not even received a response to a single one of my requests to meet with her. I find that reprehensible, when a minister of the crown does not even respond to a request for a meeting. It is important, I think, if we're really going to have democratic renewal, that ministers respect the members opposite and at least reply to their letters. Whether they're going to schedule them a meeting is one thing, but they could at least reply to their letters.

I received my first letter from the minister on Friday. It was to do with another issue, but not replying to a direct request of mine for a meeting. So maybe they should be auditing the response of ministers to members opposite; maybe they should be auditing communications on the part of ministers with members opposite. I would think it is simply good courtesy to reply to a written request for a meeting with the minister. I hope that practice changes. I know she's been very busy and she's getting pretty antsy over there. She's probably getting worried about her own riding, because she has a rural riding, and some of the things she's doing to rural Ontario, I'm sure, are not going over very well in her own riding.

**The Deputy Speaker:** Excuse me. It being 6 of the clock, I must interrupt the speaker. This House is adjourned until 1:30 of the clock tomorrow.

*The House adjourned at 1800.*

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No. 46



Nº 46

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

First Session, 38<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 38<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

Tuesday 11 May 2004

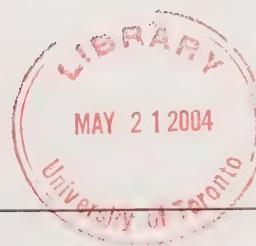
Mardi 11 mai 2004

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 11 May 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 11 mai 2004

*The House met at 1330.*

*Prayers.*

### MEMBERS' STATEMENTS

#### WATER QUALITY

**Mr Garfield Dunlop (Simcoe North):** I am pleased to rise this afternoon to discuss the lack of response from the Minister of the Environment on regulation 170/03. Arenas, community halls, churches and fairgrounds often are the hub of activity and the gathering places for citizens of rural Ontario. In almost all cases, these facilities are operated solely by volunteers. Although the Minister of the Environment tries to blame the previous government, she has now had seven months to make corrections—seven months, and no action.

This is an attempt to ignore rural and northern Ontario. We know that the McGuinty Liberal cabinet is dominated by GTA and large urban members. They obviously care little about the citizens of rural Ontario. The Premier has allowed rural Ontario little or no voice at the cabinet table. Community halls and churches need assistance now. They do not need another so-called moratorium or so-called expert advisory panel. They need financial assistance.

Minister Dombrowsky was quick to react to David Ramsay's threat, so she and McGuinty drafted the Adams Mine Lake Act, now referred to as the Leona lake act.

The citizens of rural Ontario are taxpayers. They contribute to the economy of our great province. They also deserve clean and fresh water. One of Dalton McGuinty's platform promises went under the headline of "We will make water in rural communities safer," on page 14 of Growing Strong Rural Communities.

Rural Ontario depends on community halls and churches to sustain a quality of life. The McGuinty Liberals must make an announcement on funding to allow churches and community halls to have safe and clean water.

#### GASOLINE PRICES

**Mr Bruce Crozier (Essex):** I rise today on a matter very important to the day-to-day lives of many of my constituents and people across Ontario. Today I will be introducing a bill entitled the Gasoline Consumer Protection Act, 2004. This bill requires gasoline retailers across the province to give at least 72 hours' notice

before changing their price. For far too long, my constituents have expressed to me their outrage and frustration with the volatility of gas prices. This volatility becomes even more pronounced in the peak driving season of the summer months fast approaching. I think everyone in this House can relate to the stories of glancing at the price of gasoline while driving to work in the morning and then, when filling up on the way home, the price has gone up 10 cents or more. The people of Ontario are fed up with this sort of volatility. They want more stability and predictability before filling up at the pump.

Gasoline pricing has long bedevilled governments of all political stripes, and I want to acknowledge that this issue is extremely complex. In many respects, the hands of government are tied. A number of factors, both international and domestic, go into the price that consumers ultimately pay for gasoline. It must also be noted that, on average, Ontarians pay among the lowest gas prices in the western world.

Having said that, this bill that I will be introducing attempts to alleviate those frustrations.

#### KIDSABILITY CENTRE FOR CHILD DEVELOPMENT

**Mr Ted Arnott (Waterloo-Wellington):** Today I'm following up on the recent comments of the member for Kitchener-Waterloo in support of the KidsAbility Centre for Child Development. Earlier this year I met with staff from KidsAbility, and today I raise their concerns as Conservative advocate for children and youth services.

During the election, the Liberals sold themselves as the compassionate choice. They cared more, they claimed. In the hundreds of promises they made, they committed to doing a better job of managing provincial finances, setting priorities and allocating resources to funding partners who provide important services. But unless the government acts soon, underfunding of KidsAbility will be living proof that the Liberals are failing to meet the higher standard of compassion they claimed they would establish.

The House has already been informed that funding for KidsAbility doubled under the Conservative government. However, unless the funding crisis that KidsAbility is facing is addressed by the government, the number of children on the waiting list who need treatment could increase to 1,335 children, according to a recent report in the K-W Record.

If the government is callous and ignores the legitimate funding needs of KidsAbility and treatment centres like it

across the province, then children with cerebral palsy, spina bifida, muscular dystrophy, Down syndrome and communication disorders will pay the price. This should be unacceptable to all in this House. These kids truly can't wait. If the coming budget doesn't address their needs, the government will demonstrate not a compassionate heart, but a heart as cold as ice.

## TOURISM

**Mr Bill Mauro (Thunder Bay-Atikokan):** The warming weather and greening grass assure us that summer is on the way. Within my riding of Thunder Bay-Atikokan, the arrival of summer brings a flurry of events and exhibits for residents and tourists alike.

Soon we will see the opening of the walleye fishing season. Tourist resorts welcome visitors from across Canada and the United States who have waited all winter to get their boats back into the water to safely enjoy our many lakes and rivers. May 15 is also opening day at Fort William Historical Park, the world's largest fur-trading post. Fort William serves 100,000 visitors each year through its many activities and special events.

There are many other exciting things to see and do throughout the riding. Kakabeka Falls Provincial Park and Quetico Provincial Park are beautiful locations for camping. The White Otter Castle is a exceptional day trip by canoe. Ouimet Canyon and Eagle Canyon suspension bridge provide serene hiking trails surrounded by a variety of wildlife and rare plants. The area is host to many events, including the Dragon Boat Race Festival, Children's Festival, Blues Festival and Fringe Festival in Thunder Bay, and the Bass Classic, Canada Day Canoe Parade and Lions Spring Carnival in Atikokan.

Tourism is an integral economic activity providing hundreds of jobs and millions of dollars to our communities each year. To the North of Superior Tourism Association, the chambers of commerce and each and every business and community group that contributes to tourism activity in Thunder Bay-Atikokan, I want to thank you for your efforts and wish you all a very successful year.

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## COLLECTIVE BARGAINING

**Mr Peter Kormos (Niagara Centre):** At 4 o'clock this morning, the negotiating team of CEP local 87-M, the media workers at the Toronto Sun, wrapped up some around-the-clock bargaining, striking a deal, hard and tough won, at the bargaining table that the negotiating committee will unanimously recommend to their membership for ratification this Thursday.

New Democrats here at Queen's Park want to congratulate those media workers. It's been a tough, hard struggle, with a tough boss, but at the end of the day, the workers and their union will have won. That's how it's done.

The members of CEP local 87-M, the unionized media workers at the Toronto Sun, are setting a standard and

demonstrating to other media workers across Ontario—low paid, understaffed and certainly underappreciated in any number of newspaper chains—that you can fight back and win. You fight back with the union. You fight back with union solidarity. You fight back by standing shoulder-to-shoulder, arm-in-arm with your sisters and brothers in your local and across the labour movement.

That's how you win these struggles for fairness in the workplace, for justice in the workplace, for better wages, better salaries, better pensions and more job security. It's never wrong to fight for any of those things. It's a fight not only for these workers, but by them for their children as well.

## WIKWEMIKONG ANISHINABE ASSOCIATION FOR COMMUNITY LIVING

**Mr Michael A. Brown (Algoma-Manitoulin):** As we approach Community Living Day, which we all know is tomorrow, May 12, I would like to acknowledge the important and valuable contribution that the Wikwemikong Anishinabe Association for Community Living makes to northern Ontario, in our First Nation community on Manitoulin Island. I want to emphasize that there is a need for services for individuals with developmental disabilities to not only continue but to be increased and expanded in the north.

The Wikwemikong Anishinabe Association for Community Living is the only one of its kind on Manitoulin that provides unique and vital services and programs that not only preserve the native language and culture but also address the needs of First Nations people with developmental disabilities in the best possible way.

Jeannette Assinewai, who is the program director at Wikwemikong, and her team have integrated traditional native practices such as smudging ceremonies, which occur every morning, into their program structure. In addition, the Wikwemikong Anishinabe Association for Community Living bases their program on the teachings of the medicine wheel and provides services in the native language of Odawa.

However, not all First Nations communities are able to access a traditional approach to community living. It is not only on Manitoulin that the need exists for an increase in community living services that acknowledge traditional native culture and incorporate these customs into program structures, but this need exists across the entire province.

Community living programs provide a vital service to individuals with developmental disabilities. It is vital that our government recognize the vital need for community living organizations to be provided with the funding and support they need to ensure the people of the north are able to have their needs met within their own communities.

## SCUGOG CHRISTIAN SCHOOL

**Mr John O'Toole (Durham):** I rise in the House to pay tribute to the staff, students, parents and friends of

the Scugog Christian School community on the completion of their new school addition.

This really is about community building. This is a school community of about 40 families who committed themselves to raising \$220,000 to build a new gymnasium, plus new classrooms to accommodate the music program, library and other resources. Additional support came from local business in the form of donations, such as bricks, windows and insulation. Volunteer labour built much of the new addition, with a group of about 10 volunteers on-site each day. They received no government funding.

Last Friday evening, May 7, I was pleased to join community leaders such as Scugog mayor Marilyn Pearce for the official opening. Highlights included singing by students and banners the students created to thank the many volunteers. Scott Jeffery, of Jeffery Homes, was the evening's master of ceremonies. He also was a member of the building committee. The dedication was offered by Rev Rob Elkington. Fred Spoelstra brought greetings from the local Christian school community known as the "Group of Seven." I would like to commend the board chair, Ron Bruinsma, principal Tony DeKoter and the many volunteers who made this community dream come true.

This is an outstanding example of what can be accomplished when friends and neighbours work together as a community of faith. I am confident that everyone here will want to wish the Scugog Christian School community continued success and blessings for the students and their families in the many years to come.

#### CANADIAN MEN'S HOCKEY TEAM

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I rise in the House today to congratulate Team Canada's gold medal performance at the 2004 world championships. Every player and all the support staff should be very proud of their accomplishment in what was a hard-fought international tournament held in the Czech Republic.

Within a span of 16 days this team came together as a unified force. Each and every player was brought in after a disappointing season in which their teams did not make the NHL playoffs or experienced an early first-round exit. Further, this team had to adjust to an emergency coaching change right before the tournament began.

Through all this adversity the team excelled, and last Sunday Team Canada managed to come back from a 3-1 deficit to defeat Team Sweden 5-3 and win the 2004 world championship.

In particular, I would like the House to recognize the efforts of Team Canada's Ontario-born players, Steve Staicos of Hamilton, Matt Cooke of Belleville and Justin Williams of Cobourg, for representing our province and our country and for a job well done.

#### NURSING WEEK

**Ms Laurie Scott (Haliburton-Victoria-Brock):** I'm happy today to acknowledge, on behalf of our party's caucus, that the week of May 10 to May 16 is Nursing Week in Ontario. This year's theme is, "Honouring Nurses. A Team of Dedicated Professionals."

The Ontario Nurses' Association has a variety of activities scheduled for this week across the province, which will help to highlight the importance of the nursing profession.

Ontario's 49,000 front-line registered nurses should be justifiably proud of the vital contribution they make daily and the support given to all our friends and loved ones who are unfortunate enough to have to encounter our health care system.

President Linda Haslam-Stroud said it best: "This week Ontario nurses honour their professionalism, caring, dedication and commitment. They have much to celebrate. They are valued and trusted by the public, and they are confident of their contributions to the health and well-being of Ontarians."

As I have stated in this House many times before, I have been a registered nurse in Ontario for over 20 years. I've had many personal experiences that confirm to me the importance of recognizing the valuable contribution all nurses make. I have been honoured to work with some of the most dedicated and selfless people in any profession. I hope that through vehicles like Nursing Week, the Ontario public can gain a much better understanding of these professionals and the vital role they play.

The Ontario Nurses' Association and our caucus will continue to remind this government of the commitments they made to Ontario nurses during the election campaign. They promised to hire 8,000 more nurses, to increase the percentage of full-time nurses working in the system to 70% and to continue the work of the previous government in funding more positions for nurse practitioners. It is my sincere hope, on behalf of Ontario nurses and indeed all Ontarians, that over the course of this government's mandate those are promises they indeed keep.

#### INTRODUCTION OF BILLS

##### GASOLINE CONSUMER PROTECTION ACT, 2004

##### LOI DE 2004 SUR LA PROTECTION DES CONSOMMATEURS D'ESSENCE

Mr Crozier moved first reading of the following bill:

Bill 80, An Act to provide information to consumers respecting the price of gasoline and the ownership of gasoline retailers and to require certain additional information from major oil companies / Projet de loi 80, Loi visant à fournir des renseignements aux consomma-

teurs en ce qui concerne le prix de l'essence et les propriétaires des détaillants d'essence et exigeant certains renseignements supplémentaires de la part des grosses sociétés pétrolières.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Bruce Crozier (Essex):** This bill, if passed, requires every gasoline retailer to advertise a change in the price of gasoline at the retailer's gas station at least 72 hours before changing the price.

The bill also requires gasoline retailers to indicate on their price signs what portion of the price is dedicated to tax.

The bill requires gasoline retailers who are affiliated with major gasoline retailers to indicate their affiliation on signs at their gas stations and on the receipts issued at their gas stations.

Finally, the bill requires large oil companies that produce, refine and market gasoline to file segmented earning reports with the Minister of Consumer and Business Services annually.

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**Mr John R. Baird (Nepean-Carleton):** On a point of order, Mr Speaker: I'd like to ask the government if they'd like to deal with Mr Crozier's bill right now.

*Interjections.*

**The Speaker:** Order. Motions?

## MOTIONS

### CONSIDERATION OF BILL 68

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I seek unanimous consent to immediately call the orders for second and third reading of Bill 68, An Act to amend the repeal date of the Edible Oil Products Act, and, further, to allow the motion for second reading to be moved by a member of the official opposition and the motion for third reading to be moved by a member from the third party, the question to be put on the motions without debate or amendment and that any bells shall be limited to five minutes.

**The Speaker (Hon Alvin Curling):** The government House leader requires unanimous consent for this motion. Agreed.

### EDIBLE OIL PRODUCTS REPEAL DATE AMENDMENT ACT, 2004

#### LOI DE 2004

#### MODIFIANT LA DATE D'ABROGATION DE LA LOI SUR LES PRODUITS OLÉAGINEUX COMESTIBLES

Mr Hardeman, on behalf of Mr Peters, moved second reading of the following bill:

Bill 68, An Act to amend the repeal date of the Edible Oil Products Act / Projet de loi 68, Loi modifiant la date

d'abrogation de la Loi sur les produits oléagineux comestibles.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Ernie Hardeman (Oxford):** The Conservative Party strongly supports this change to the Edible Oil Products Act on behalf of the dairy farmers who are present today in the gallery.

### EDIBLE OIL PRODUCTS REPEAL DATE AMENDMENT ACT, 2004

#### LOI DE 2004

#### MODIFIANT LA DATE D'ABROGATION DE LA LOI SUR LES PRODUITS OLÉAGINEUX COMESTIBLES

Mr Hampton, on behalf of Mr Peters, moved third reading of the following bill:

Bill 68, An Act to amend the repeal date of the Edible Oil Products Act / Projet de loi 68, Loi modifiant la date d'abrogation de la Loi sur les produits oléagineux comestibles.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### LONG-TERM CARE

**Hon George Smitherman (Minister of Health and Long-Term Care):** Mr Speaker, I'm pleased to rise in the House today to advise you that I have received the written report by Monique Smith, the MPP for Nipissing and my parliamentary assistant, on recommended changes to long-term care in Ontario.

On behalf of all Ontarians, I would like to thank her for the work that she has done, and I'd like to thank the people of Nipissing for freeing her up from her local responsibilities to travel to all corners of the province to make unannounced visits and the like for long-term care.

**Mr John R. Baird (Nepean-Carleton):** She's scaring seniors, visiting unannounced.

**Hon Mr Smitherman:** You're scaring us all.

Monique's report, Commitment to Care: A Plan for Long-Term Care in Ontario, is the result of our government's review of the province's long-term-care system. It is an amazing accomplishment and it represents a real labour of love. Her report answers the question of how we can make long-term-care homes true homes for our loved ones, homes where our parents, relatives and friends are safe and enjoy a real sense of community.

More than 70,000 people live in long-term-care homes in Ontario, and our aging population will drive that

number much higher in the future. That is why I would like to recognize as well the work of the Honourable John Gerretsen, the minister responsible for seniors. What is clear is that all seniors across this province need to know that they have no greater champion in their corner than your minister responsible for seniors.

I am humbled by the responsibility given to me by the Premier as Minister of Health and Long-Term Care. I'm energized by the responsibility of helping to transform our health care system. It is, after all, our system. It belongs to 12 million of us.

Our system has in some measure been falling short when it comes to protecting seniors. When I was appointed Minister of Health six months ago, I hit the ground running. Last year's high-profile media reports of shocking incidents of neglect, poor care and physical and psychological abuse lifted the veil on problems that have been for too long ignored in our province. The McGuinty government made a real commitment to deal swiftly and forcefully with this issue. I called for a revolution, because that's what is required, and a revolution in long-term care is now underway in Ontario.

I appointed Monique Smith to conduct a top-to-bottom review of long-term care, to get at the cultural issues affecting the quality of care and to recommend practical actions to strengthen long-term-care services. Since then, she has made unannounced visits to homes across this province, as have I. She met directly with people living in the homes; she met with their families, caregivers, health professionals, operators and administrators; she met with seniors' groups, union representatives, academics, gerontologists and others active in the long-term-care community to hear their views about improving our system.

Monique visited many homes that are delivering excellent, safe, professional, compassionate quality care that one could really recommend to a loved one. Others proved to produce disheartening results, with poor quality of care—not the standard that we expect in this province and certainly not the standard that we will achieve in this province. The only standard for long-term care in Ontario is a high standard.

This report reflects our commitment to a revolution in long-term care and was the initial step in the McGuinty government's plan to address the needs of people living in long-term-care homes. Our system needs to do a better job of protecting our most vulnerable citizens: our seniors in long-term-care facilities. All too often, our long-term-care homes and, more importantly, the mothers, fathers, sons and daughters in them have been forgotten or neglected. This shouldn't be a revolutionary concept, but, sad to say, it is. There are so many hard-working, dedicated, skilled and compassionate front-line heroes caring for our seniors, our parents, our neighbours, day in and day out, but we as a society have let these caring and courageous nurses, personal support workers, dieticians and so many others do all the work for us.

Caring for our seniors and getting the community involved in long-term care is about more than work; it's

about heart. That is why the McGuinty government is going to fix it once and fix it for all: for all of us and for our mothers and fathers. This report serves as a blueprint, a starting point for action. This revolution is about meaningful change for seniors and their families, about starting with a plan of action. It starts with taking decisive actions to create a community culture in long-term care, to toughen enforcement and make long-term care more accountable.

Monique Smith's report, Commitment to Care, confirmed that many homes provide safe, compassionate quality care. It also revealed, however, that other facilities provide poor quality care, and this is simply not acceptable. The McGuinty government is responding to Monique Smith's report with a comprehensive strategy of reform that will take place starting now.

Today I want to tell you about the actions we are taking. Cultural change is a responsibility that we share, as a government, as long-term-care providers and as community members. The actions we are taking will change the culture of long-term care by increasing resident, family and community involvement, making homes more accountable to Ontarians and toughening inspection and enforcement. As part of the plan, we will create a culture of community in our long-term-care homes. We will mandate that all long-term-care facilities establish a family council. We're giving a stronger voice to residents by supporting and strengthening resident councils in every home. Our government, I'm proud to say, will reinstate the policy of allowing couples to live together in a home even if their levels of care are different.

We bring zero tolerance for abuse and neglect to the residents of long-term-care facilities. That is why our plan will dramatically toughen inspection processes for long-term-care facilities and create tools to ensure that high standards are enforced. We've already started. Since the beginning of January, all inspections of long-term-care facilities are unannounced and they will remain that way. This is giving us a much more accurate picture of residents' care and enabling us to deal with violations more effectively. We will begin targeted surprise inspections throughout the year for homes that have a poor track record. This will allow us to concentrate our resources on dealing with homes with demonstrated problems and serious violations.

#### 1400

We will separate the compliance and inspection functions. Currently the ministry compliance officers play a dual role of compliance and inspection. We believe that inspectors need to have a distinct role and the ability to apply tougher penalties to non-compliant homes.

We will crack down on elder abuse by making it mandatory for staff to report suspected abuse, and in legislation we will offer whistle-blower protection to ensure that those workers have all of the freedom and support necessary to call in any claim of suspected abuse.

We're going to move to make our long-term-care system more accountable to protect the health and safety of residents. Facilities will be more accountable, and

long-term-care homes must be answerable to the people who live there and to the communities they serve.

We will establish a third-party advocate who will play a watchdog role on behalf of residents and families regarding inspection and compliance.

Last January, we announced a toll-free action line that has subsequently dealt with 1,700 calls and resulted in almost 500 specific inspections. The action line remains, but because we believe the public has the right to have all of the best information available, we will now launch a public Web site. When it's complete, it will be the most comprehensive public report on long-term care in all of Canada.

Within four months, Ontarians will be able to go on-line and find a profile of every home in Ontario, the number, types and rates of complaint for each home, a satisfaction survey to be filled out by residents and their families, and accreditation information on every home. Within a year we'll add to that a compliance record for every home, the number of violations in a home's most recent annual review, and staffing information, including number of staff per resident and their training.

This Web site will allow people to compare long-term-care homes and track performance of Ontario facilities over time.

We know that not everyone can go on-line, so we'll make hard copies of those same reports available in a variety of different settings. In addition, we will mandate that all homes publicly post the complaints process and the inspectors' reports in highly visible and accessible locations.

Because we believe that rewarding good behaviour and supporting best practices is as important as taking a hard line against poor performers, we will recognize superior homes by applying a gold standard that can be achieved by any home that demonstrates, over three years in a row, a superior performance. These homes would be inspected every two years instead of annually.

The revolution underway in long-term care is about cultural change, and there's no question that we need greater stability and resources to complement those changes. I've said on many occasions that this is necessary. I'm pleased to be able to report today that as part of the plan we are announcing, our government will invest \$531 million on an annual basis in long-term care. This annualized investment includes \$191 million to significantly increase staffing and standards of personal care in existing long-term-care beds. This investment will allow homes to hire 2,000 new staff. This will include at least 600 new full-time nurses, RNs and RPNs, in addition to personal support workers, activity coordinators, dieticians, therapists and nurse practitioners.

With this increased funding, all homes will be required to achieve specific high standards of care. Our government is moving to reinstate the requirement that a registered nurse be on duty in every long-term-care facility every minute of every day in each and every year. This new investment in staffing will enable us to create and enforce minimum standards of personal care that are

currently not being provided in all long-term-care homes. We will be establishing a minimum care standard to ensure that residents receive, at a bare minimum, two baths a week, or more, depending upon their personal care needs.

This annual investment also includes \$340 million to expand the number of long-term-care beds in communities all across this province; that way, more seniors will be able to live in their communities.

Change in the culture and quality of care in long-term care will require us to modernize the laws that govern long-term care, and later this year we will be introducing legislation to make sure that all types of homes are subject to the same high standards of care, enforcement and penalties.

I want to thank everyone who contributed to Monique Smith's report for their openness, for their ideas and for their commitment to long-term care. By working together, we will ensure that all Ontario seniors live in dignity, with the highest possible quality of life. Together, we will build a healthier Ontario.

**The Speaker (Hon Alvin Curling): Responses?**

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** Certainly the announcement this morning brought back some fond memories for myself. In 1998, we chose the same wonderful long-term-care facility to make our announcement. At that point in time we announced a very historic investment of \$1.2 billion in order to build 20,000 more long-term-care beds. That was after coming to the realization that no beds had been built in the province of Ontario for 10 years before that time. What we were doing was making sure that when hospital beds had been closed—and 10,000 had been closed during the time of the NDP and the Liberals—we were setting up a continuum of care that started with prevention, primary care, hospitals, and then long-term care and community care. I'm pleased today that this government is continuing to build on that strong foundation of putting in place that continuum of care, providing for the needs of our elderly and our vulnerable citizens.

I do want to congratulate the minister and the parliamentary assistant. I think the report that has been undertaken in order to provide for support and care of our seniors—the strategy—goes a long way to doing what is necessary, and I do offer my congratulations to them.

However, it's amazing what a difference a day can make. It's amazing what a difference an opposition motion threat can make. Last week, we called upon the government to live up to their campaign promise and immediately increase long-term-care funding and stop the clawback of property tax reimbursements. Well, guess what? That opposition day motion is tomorrow and, lo and behold, on Sunday the minister hastily gathered together the long-term-care sector, who had been asking for meetings and finally got one. They were informed that despite the fact that they had been told there would be clawbacks in the property tax reimbursements of 2003, the government was no longer going to do that.

So we thank the government for responding to the motion, and we appreciate their compassion in this

regard. However, I will tell you that the announcement today still does not respond to the promise that was made by the Premier.

The Premier committed to invest an additional \$6,000 on behalf of the residents in long-term-care facilities. As you well know, the money today, \$340 million, simply goes to make operational the annualized funding for the new beds that have opened since mid-2003 and 2004. It was money that would always have flowed to those facilities in the first place. There is an additional \$191 million, but that's not quite the \$6,000 per resident; you're still about \$250 million short.

The other thing we are not sure of is when this money actually is going to flow to the facilities. What is the timeline? When will this additional staff actually be hired? I also noticed that in the plan of action, it says that the residents are going to receive two baths a week. I would just remind the minister that your Premier, in 2003, promised the seniors three baths a week. So you've still got a little way to go.

I have to congratulate the people in the long-term-care sector. They did their own survey of residents and families. They got responses, and the number one priority for people in the long-term-care sector was overwhelming demand for more staff and more funding. That had 18,000 votes.

The announcement today still does not provide for the annual case mix increased adjustment of 1.4%, so I hope the minister will make that amount of additional funding available. I also hope the clawback that he was intending for 2003 is not included in the \$191 million. I hope that will be additional funding.

**1410**

**Ms Shelley Martel (Nickel Belt):** I'm pleased to respond on behalf of the New Democratic Party. I'm sure the minister and the government won't be surprised that I have a bit of a different take on this announcement than the member for Kitchener-Waterloo.

Look, I would have been happy if, in the announcement today, the government had just lived up to the promises it made to residents and their families during the election campaign. I would have been happy if the government would have done just that. Let me give three examples where that didn't happen today.

First of all with respect to funding, this government promised during the election campaign that they would invest 6,000 new dollars per resident per facility—\$6,000 per resident per facility. What did we get today? We got an announcement of \$2,700 per resident—less than half of what was promised. More importantly, there was no commitment by the minister today that the sector, the families or the residents are going to see that balance of \$3,300 any time soon. There was no commitment made by the minister for the balance of the \$3,300 that was promised by this government. Why don't you live up to that very specific commitment?

Secondly, during the election campaign the government promised it would cancel the fee hike that was imposed by the former government on residents in long-term-care facilities. Did we hear anything about that at

the announcement today? No, not a word, not a peep. That is money that those who live on fixed incomes in long-term-care facilities should have in their pockets, because we know that so many of them are on fixed incomes, can barely afford to make ends meet and certainly don't have much money in the pocket after to buy a few amenities here and there. The government said not a word about cancelling the fee hike imposed by the Conservatives that the Liberals promised they were going to roll back.

Thirdly, the government had nothing to say about standards of hands-on nursing care per resident. The Liberals made it very clear in their election platform that they were going to bring back standards of hands-on care for residents living in long-term-care facilities. The government today talked about baths—didn't say when that's going to go into effect. The government talked about having a full-time RN in a facility 24/7—again, didn't say when that's going to happen. But the government was silent on the critical issue of how much hands-on care each resident in a facility should receive. Ontario has the dubious distinction of having fewer hours of hands-on care now than Mississippi. What a distinction. That's shameful.

If it really wanted to, this government could go to cabinet tomorrow and pass a regulation to implement a certain standard of hands-on nursing care. Why won't the government do that? Why won't the minister go to cabinet tomorrow and pass the regulation on bathing or pass the regulation on full-time RNs 24/7?

I say to the government, we don't have to wait till the fall for legislative changes, which is what the minister talked about today. You can pass those regulations by order-in-council at cabinet on a Wednesday morning. If you really care about the quality of care being provided to residents, why don't you do that tomorrow morning so that Ontario doesn't continue to have the dubious distinction of having fewer hours of hands-on care for the frail and elderly than Mississippi?

I heard the minister talk this morning about elder abuse and how there was going to be mandatory reporting of abuse to the ministry and how there was going to be whistle-blower protection. I say to the minister, if you're interested in dealing with elder abuse, you can pass Bill 47 today, the private member's bill that stands in the name of our leader, Howard Hampton, a private member's bill that creates a positive duty on all of those who work in facilities to report any allegations of abuse and for the minister to have the power to follow up on that abuse. It follows as a positive duty that is already on teachers and nurses and child care workers to report abuse of children to the CAS. The government could pass second and third reading of that private member's bill today, because it would very clearly meet the goal of protecting seniors from abuse that the minister outlined in his statement today. I encourage the minister to do that today if he's serious about seniors abuse.

In closing, let me say that I would have been happy if the government had just lived up to the election promises it made to residents and to the families of those who live

in long-term-care facilities. Unfortunately, the announcement didn't do that.

**Ms Marilyn Churley (Toronto-Danforth):** On a point of order, Mr Speaker: I would like to ask for unanimous consent to pass private member's notice of motion 18, proposing that fees collected from water-taking activities be designated to municipalities and property owners to aid them in complying with provincial water quality regulations.

**The Speaker:** Do we have unanimous consent? I heard a no.

### ANSWERS TO WRITTEN QUESTIONS

**Ms Shelley Martel (Nickel Belt):** On a point of order, Mr Speaker, for a brief moment, please: On March 22, I tabled four order paper questions to the Ministries of Education, Health and Long-Term Care, Children and Youth Services and the Attorney General regarding all the costs that have been incurred by the ministries to date for the autism court cases involving Deskin-Weinberg and other families. Also on that day I sent in an additional order paper question to the Attorney General asking for all the costs that have been incurred by his ministry to date for the ministry's intervention at the Ontario Human Rights Tribunal in the case of Luke Burrows, who is also an autistic child.

Those responses were due last Wednesday. I have not received any of them and I am looking for your assistance to try and get responses to what I believe to be very serious questions.

**The Speaker (Hon Alvin Curling):** In response to the member for Nickel Belt, I've checked into it. All those answers were tabled today except for the one from the Ministry of Children and Youth Services. I will then ask the minister to respond as soon as possible to the question from the member for Nickel Belt.

**Ms Martel:** On a point of order, Mr Speaker: If I might, I was advised they would be both tabled and delivered to my office. As I stand here, I tell you that I have not received any of the five responses.

**The Speaker:** I understand that they have been tabled and I hope they will be there when you get back to your office.

1420

### ORAL QUESTIONS

#### TAXATION

**Mr Ernie Eves (Leader of the Opposition):** I have a question for the Premier. Do you consider an increase in retail sales tax a tax on working families in Ontario?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I think I know what the leader of the official opposition is getting at. He has this abiding interest in the details of the budget, which I can well appreciate. Obviously I cannot provide those details at this point in time. We will be doing that a week from today. But I can say that as a symbol of one of our areas

of greatest priority, I'm very proud of the announcement made today by Minister Smitherman with respect to the investments we're making in long-term care, ably assisted by Monique Smith and the outstanding work she has done.

I know there is a real interest here in terms of where we are going to go. That's an indication of where we're going.

**The Speaker (Hon Alvin Curling):** Supplementary.

**Mr John R. Baird (Nepean-Carleton):** Premier, you were able to answer all those questions when you were trolling for votes before last October's provincial election. You put ads on TV and spent millions of dollars where you looked into the eyes of working families right across Ontario and promised that you wouldn't raise their taxes. Your promise was simple, your promise was clear and it was an unambiguous commitment.

Premier, you don't have to pay for the time here today. This is free time. You can speak to the entire province right here, right now. Why don't you stand in your place, set the record straight and clear up any confusion before this issue spirals out of control as other trial balloons have? I ask you to do one simple thing: Would you stand in your place and just repeat the commitment that you made to the people of Ontario not to raise their taxes?

**Hon Mr McGuinty:** There is no confusion now on a very important matter, and that is that the people of Ontario had been burdened with, saddled with, at least a \$5.6-billion deficit. We're going to do our very best to address that burden. We're going to do it in a responsible way. We're going to do it in a way that also gives effect to our priorities, which are Ontarians' top priorities: health care and education.

**Mr Baird:** Premier, your refusal to answer a direct, simple, straightforward question speaks volumes about you and the integrity of commitments that you make to the people of Ontario. This non-answer reminds me of Chuck Guité appearing before the public accounts committee in Ottawa. But at least Chuck Guité has a defence, I say to the Premier.

The people of Ontario are quickly coming to the conclusion that you were prepared to say anything to get elected. If you break your promise not to raise the retail sales tax, how can we believe anything you ever say again?

**Hon Mr McGuinty:** In order to ensure that the kinds of shenanigans the people of Ontario have had to contend with—that is, they got the word of the previous government that there was no deficit and they found out there was a \$5.6-billion deficit—never happen again and that that kind of thing cannot be perpetrated once again on the people of Ontario, we're going to change the law in Ontario. We're going to make sure there is transparency, openness and accountability before the election so that what happened before doesn't happen again.

#### ONTARIO BUDGET

**Mr Ernie Eves (Leader of the Opposition):** Premier, this morning you told reporters that you don't have time

to visit Hamilton East voters in the by-election you called on April 14. You said you were too busy working on the budget with the finance minister. This morning we were told by the Canadian Taxpayers Federation that you have refused to meet with them about that very budget. Exactly eight months ago today, September 11, 2003, you made a big production out of meeting with them and signing your taxpayer protection pledge. How is it that you can't find time to meet with them now?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** We have devoted more time and more energy to meeting with Ontarians on the matter of their budget than ever before. The Minister of Finance has the principal responsibility to meet with people who have specific interests. He in fact has, I say to the member opposite, met with representatives of the Canadian Taxpayers Federation.

**The Speaker (Hon Alvin Curling):** Supplementary.

**Mr John R. Baird (Nepean-Carleton):** In the leaders' debate during last fall's election, on September 23, I want to tell you what you told the voters of Ontario. You said, "We will not raise taxes one cent on Ontario families. Families will pay the same in taxes under a McGuinty government as they are under the present Conservative government." What did you mean when you said that?

*Interjections.*

**Hon Mr McGuinty:** I'm listening. I'm being entertained, Speaker. I'm enjoying the entertainment.

I understand how disappointed Ontarians are with the turn of events and to have discovered that the state of their government finances was not in fact as was represented. As I said a moment ago, we will ensure that never happens again, so everybody going into an election campaign, whether it's somebody in opposition, a representative of the government or the public at large, has an accurate accounting of the state of government finances. We will ensure that that kind of misrepresentation never happens again.

**Mr Baird:** Premier, I know what working families thought you meant. They thought "not one penny out of their pockets" meant you wouldn't dig your hand even deeper into their pockets. That's what they thought. What working families now think is that when you promise not to raise taxes by one penny, you really mean you want to raise taxes by \$2 billion with your retail sales tax increase.

*Interjections.*

**The Speaker:** Order. I would regard what the member from Nepean-Carleton did is deliberately put forward a prop and then completely disregard the Speaker when he got up. I would ask him to conform to the decorum of the House. I ask your support on that. New question.

## HEALTH CARE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. The Ontario Chiropractic

Association is worried that you are about to delist some or all of the services they provide in the upcoming budget. Chiropractors believe you are about to cut those services, forcing 1.2 million Ontarians to pay out of their own pockets for those health care services. You have said that choosing change meant more health care, not less. One of your backbenchers, the member for York West, called the delisting of health care services "a continuous attack on our purse and those of seniors." Premier, will you commit today that your government will not delist any chiropractic services?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I thank the leader of the NDP for the question, but again this is an inquiry with respect to specific details in the upcoming budget, and I will not provide those.

The member does raise the issue of our interest in and concern for seniors. Again, it takes me back to the wonderful announcement that was made today calling for a very significant investment in long-term care. As a result of this investment, seniors who are residents in long-term-care centres—and there are close to 70,000—are going to get at least two baths per week. There will be a registered nurse on duty at all times. We'll be hiring 2,000 more staff, including 600 more nurses. We're going to crack down by way of more unannounced inspections. We're going to take a genuine interest in the welfare of Ontario seniors by means of this announcement we've made today. We're proud of that.

**Mr Hampton:** Premier, this is a question about health care services. What you choose to do in the budget next week is something you can talk about then. This is about health care services. It's about 1.2 million patients. What they're worried about is that, in your negotiations with the doctors, you will choose to cut services offered by chiropractors and others in order to finance a pay raise for doctors. That's robbing Peter to pay Paul, and it hurts people and results in higher costs elsewhere in the system, because I know what will happen: People who can't access a chiropractor will show up at the hospital emergency ward.

Premier, it's about health care services, something you are so willing to talk about, and the question is simply this: Will you state categorically today that there will be no cuts, no delisting of chiropractic services in Ontario by your government?

1430

**Hon Mr McGuinty:** The member's just going to have to wait for the budget. But I can tell you this: We are absolutely determined to make the essential investments in our health care system. More than just a matter of money, we're determined to get real results.

The minister has put forward a very progressive plan that speaks to reducing wait times for things like cardiac care, cancer care, MRIs and CTs. We've got a plan to invest in more nurses, to bring primary-care reform, as a reality, to Ontario—something that the others have talked about for years on end. That's where we're going, and that too will be reflected in our budget.

**The Speaker (Hon Alvin Curling):** New question.

**Mr Hampton:** To the Premier: The people of Ontario didn't vote for more cuts to health care. Whether you distribute those cuts to health care on the chiropractic side or whether it's on the physiotherapy side or the optometry side, people didn't vote for that.

The optometrists are also concerned. They were here on March 31, demonstrating. They are also concerned that you are going to delist a number of their services. Will you state today that you will not delist or cut any of the health care services provided by optometrists?

**Hon Mr McGuinty:** The same answer applies. I'm not going to provide details with respect to the budget. The member talks about cuts—we just announced today a \$531-million investment in long-term care. If the members opposite are looking for a telltale sign in terms of where we're going, then that speaks volumes about our commitment to health care.

**Mr Hampton:** You have floated a lot of trial balloons over the last six months. Most of them have been, shall we say, public relations disasters. Let me tell you, no one in this province—no one in this province—heard you say, before the election or during the election, that important health care services, like being able to have your eyes tested, might be delisted; that having access to a physiotherapist, if you're a senior or if you're somebody who is disabled, might be cut; that having access to a chiropractor because you have severe back pain, those services might be cut. No one heard those things.

So I'm saying to you today, this is not about the budget. You and your Minister of Finance can spin your stories next week about the budget. This is about health care services. You had lots to say over the last four or five years. You had lots to say during the election campaign. Stand up and tell the people of Ontario today that you are not going to delist the health care services of chiropractors, of physiotherapists, of optometrists, that there aren't going to be any cuts to those services. Will you do that now?

**Hon Mr McGuinty:** I can assure the members opposite, and the people of Ontario, that we're going to throw our weight behind health care in the province of Ontario—not into tax cuts, but behind health care. We're going to do what is necessary to transform our system of health care, medicare, into one that is suited to the beginning of the 21st century.

We're going to deliver real results. We're going to reduce wait times. We're going to bring more nurses and more doctors on to the job in the province of Ontario. We are committed to health care. Again, I say, I appreciate the questions raised by the member opposite, but our budget will clearly reflect our commitment to health care. We look forward so much to bringing that into this House a week from today.

## TAXATION

**Mr Jim Flaherty (Whitby-Ajax):** My question is for the Premier. It's about his promise not to raise taxes, to

hold the line on taxes in Ontario. Every January, people in Whitby and Ajax, and towns and cities and rural areas all across this province, get up and go to work. They work all through the winter months: January, February, March, into the spring: April, May, June, up to June 28th, for the governments of Ontario and Canada and for our municipal governments. The people of Ontario, the average families which this Premier used to talk about when he was the Leader of the Opposition, when he cared about "working families," as he used to say—these working families work almost six months for government.

This Premier has already increased personal income taxes—the largest single tax hike in the history of the province of Ontario—after promising that he would not raise taxes and would hold the line on taxes. Now there are rumours about increasing the retail sales tax, which is regressive.

Will you first of all admit that the tax burden is until June 28, that you understand it and that you will not increase the overall tax burden on working families?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I appreciate the question. Let me tell you that working families, by way of a message that they are sending to the government today—do you know what they are saying? They are saying, "Can you do something to improve the quality of education that my kids get in their public schools?" And we are going to do that.

They're also saying, "Can you make sure that we can invest in health care and transform medicare so that it meets our 21st century needs?" That is what they are saying. And they're saying something else as well. They don't begrudge the fact that they have to pay taxes. As somebody once said, that's the price of living in a civilized society. They're also saying, "Can you make sure, for the first time in a long time, that we start to give care to our most vulnerable?" That is something else we intend to address.

**Mr Flaherty:** The working families of Ontario are already taxed to the max. In fact, in 2003—and these are all the taxes that this government and the government of Canada are imposing—the average family, with two people working and an income of \$81,437: income tax, more than \$13,000; sales tax, more than \$6,000; liquor, tobacco, amusement taxes, more than \$2,000; auto insurance taxes, more than \$1,000; social security and pensions, more than \$8,000. Do you know what it adds up to? It adds up to just over \$39,000 on an income of \$80,500, with both partners working. That is 48.5%, until the end of June. Are you saying that you are going to insist the people who work in this province work into July for your government, that they pay more than half of their income to the government of Ontario?

**Hon Mr McGuinty:** There's no secret here in terms of what the member's solution is to the challenges of the day. He would say, "Here is some money; now send the kids to the private schools." He would give up on public education, and we won't do that. He would say, "There's

no hope for medicare, so let's allow more privatization to our health care system." We are not going to give up on medicare. He would say to the vulnerable, "They are on their own; too damned bad about them." We won't say that. We're here for the vulnerable as well.

This is an important and interesting contrast in terms of the approach brought by that member and representatives of this government. We believe in public services, and that is the kind of investment we will be making in the upcoming budget.

#### SERVICES FOR THE DISABLED

**Mr Ernie Parsons (Prince Edward-Hastings):** My question is to the Minister of Citizenship. During my previous role as critic for persons with disabilities I had the opportunity to meet hundreds of Ontarians with disabilities. Without exception, they had excellent advice for me. However, when asked about the existing ODA, the best they could say was, "Well, it's better than nothing." That is not much of an endorsement, is it? And that is not my question.

What they did say to me consistently was that they had very little opportunity to provide input into the drafting of the ODA, and when they did get the opportunity to speak, they weren't listened to and their input wasn't acted upon. Would you describe for us the process that you are using to receive input from Ontarians with disabilities?

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I'd like to thank the honourable member for the question and his commitment and his work in this field over the years while critic.

I'd like to reiterate for this House that the McGuinty government is committed to strengthening the Ontarians with Disabilities Act by the fall of 2004.

To meet this end, my parliamentary assistant, the member from Bramalea-Gore-Malton-Springdale, Dr Kuldip Kular, and I had consultations across the province, and I would like to take this opportunity to thank Dr Kular for the vast amount of effort he put into this.

What we heard in these consultations was the need for a common planning process, the need for a strengthened accountability framework, the extension of the ODA to organizations in the private sector and the need for an effective public awareness and education program. We are analyzing all of the data we heard from literally thousands of people, including a Webcast, for the first time, of 2,000 students. Once we analyze this data, we will come forward with a proposal for an act by the fall of 2004.

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**Mr Parsons:** The current act focuses very heavily on visible disabilities. However, there are invisible disabilities such as mental illness or acquired brain injury, that are just as real. Can you assure Ontarians that the

new ODA will include and support all disabilities equally?

**Hon Mrs Bountrogianni:** I know that for both professional and personal reasons my colleague has a passion for and interest in this that we all respect in this House. My answer is yes, we will be taking invisible disabilities just as seriously as visible disabilities.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Frank Klees (Oak Ridges):** My question is to the Premier. Over the last few days, we in this House have challenged you to assure seniors in our province that in your budget you will not do what a number of your backbenchers have suggested may happen; that is, that chiropractic services will be delisted and many of the other services seniors need from day to day will cost them more. There was a great deal of discussion through the course of your consultations that seniors would have to pay much more for drugs, which of course they can't afford. Can you stand in your place today and confirm what one of your backbenchers said yesterday, that in fact the upcoming budget will not result in higher costs to seniors for their drugs? Would you confirm that that will not happen in this province?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** Curiosity is running rampant over there, and I guess it's somewhat understandable when it comes to the contents of the budget.

Again, with respect to our commitment to seniors, I don't think anything speaks more powerfully and more eloquently than the announcement we made today.

Here is something that was put out by the Registered Nurses Association of Ontario, and I'm sure the member opposite will be interested in hearing this: "'We wholeheartedly applaud Premier McGuinty and Minister Smitherman for their clear commitment to older persons,' said Joan Lesmond, president of the Registered Nurses Association of Ontario." Notwithstanding the reluctance on the part of our colleagues opposite, there are some people who feel we've done something good today in Ontario for seniors.

**Mr Klees:** Seniors across the province are watching this, and they're seeing a Premier who has broken a multitude of promises and who cannot answer a straight question. The question was very specific, and it had to do with Ontario drug benefits for seniors. Why won't the Premier simply confirm what one of his backbenchers said very publicly, that in fact the upcoming budget will not call on seniors to pay more for their drugs? We have stood in this place for the last number of weeks and challenged the government to back down on charging seniors more for their drugs. We would like to claim victory here today. Will you confirm for us that you, as Premier, will ensure that the upcoming budget will not call on seniors to pay more for their drugs? It's a very specific question, Premier. Show the people of Ontario that you can answer one question.

**Hon Mr McGuinty:** The member opposite well recognizes that it would be entirely inappropriate for us to tell the public, through him, where we stand with respect to specific budgetary matters. But I can say that I anticipate seniors will very much appreciate the commitment made to them through our budget.

## IMMIGRANT SERVICES

**Mr Tony Ruprecht (Davenport):** I have a question for the Minister of Citizenship and Immigration. Ontario is a province that attracts a large number of immigrants. In fact, nearly 60% of all Canada's immigrants settle in Ontario, with a large proportion of those settling especially in Toronto. Surprisingly, Ontario is the only province in this country that does not have an immigration agreement with the federal government. The consequence of this is that Ontario receives the lowest per-capita federal spending on settlement and adult language training services in the country.

We brought this to the attention of the minister previously when we were in opposition. Now you are the minister. What are you going to do to change this to help new Canadians to succeed in today's Ontario?

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I would like to thank my colleague for the question. As he mentioned, yes, we are the only province without an immigration agreement in this country. It seems like the former Tory government was not interested in an immigration agreement with the federal government.

Within the last seven months of taking office we did more than you dreamed of doing in the eight sorry years you were in government. We just wrote a letter of intent that will include municipalities in the devising of the funding formula. We have an acknowledgment from the federal government that Ontario does need more money. This is a very important and cutting-edge development, because municipalities do bear a lot of the responsibility with respect to new Canadians, and they will be part of the negotiations for the first time in Canadian history. I anticipate that the rest of the country will follow our model in the months to come.

**Mr Ruprecht:** This is really great news. As you know, Toronto is home to a significant number of new Canadians. Many of them have gained educational and professional credentials in other countries, but unfortunately, some of these credentials are not recognized when they arrive in Canada. Well-trained and experienced individuals end up taking low-skilled jobs just to make ends meet because it is too difficult, or they don't know how, to get their credentials recognized. Our economy needs internationally trained professionals in order to thrive and to provide the goods and services that the people of this province need as we move into the 21st century. This is an important issue for downtown Toronto communities but also for small towns and cities across the province. Minister, what is our government doing to

help new Canadians to practise their chosen trades and professions in this, their chosen province?

**Hon Mrs Bountrogianni:** My colleague the Minister of Training, Colleges and Universities is the lead for this part of the process, and I refer to her.

**Hon Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** I'm happy to respond to the question from the member for Davenport. I have already met with several of the 38 regulatory bodies that work with the professions that we're talking about here. In fact, I've written to all of them and met with most of them. We have information documents done on 18 or 19 of those professions now. We are making incredible headway in that regard. We have already provided the first quarterly report on our progress in that regard. In January we announced \$4 million in funding for bridging programs for accreditation. So we are making excellent progress and we have a one-year target for a report card which will demonstrate the progress being made in that regard.

## GASOLINE PRICES

**Ms Shelley Martel (Nickel Belt):** I have a question to the Minister of Northern Development and Mines. On May 2, 2001, you tabled a private member's bill rolling back and freezing gas prices for up to 150 days. You said at the time that you were standing up for consumers. You know how much northerners depend on their vehicles. You know how much high gas prices really hit northerners. You know that gas prices are at a record high and we need a solution now. That's why we have reintroduced your bill to freeze and roll back gas prices. So my question to you is simply this: Will you and your colleagues pass Bill 74, second and third reading, today?

**Hon Rick Bartolucci (Minister of Northern Development and Mines):** The simple answer to the question is no. We believe that you should bring your bill forward for full and open debate. That's what happens around this place. I think that's very important.

1450

While we wait for you to bring your bill forward, I as Minister of Northern Development and Mines have met with the Canadian petroleum products industry to talk about the severe impact that negative prices have in northern Ontario, that the volatility of prices has an effect in northern Ontario. I think it's very important to act responsibly as a northern minister. That's why I invited the petroleum products industry into my office to discuss that.

I would like to ask the former government if they did—the answer would be no—and if the previous NDP government did. The answer would be no as well.

**The Speaker (Hon Alvin Curling):** Supplementary.

**Mr Gilles Bisson (Timmins-James Bay):** Minister, speak or consult. It's your bill. That's the one we brought back. You drafted the bill. You consulted within your caucus. You know full well what's in it. All we did was

reprint your bill. Don't talk to me about having to consult.

You introduced the bill back then. You thought it was a good bill. We, as New Democrats, supported it. The Tories voted against it. This is your chance to shine. You brought the bill forward. We reintroduced it. Talk is cheap. Stop the consultation. Will you pass it for second and third reading now to provide security in prices for people not only in northern Ontario but across this province?

**Hon Mr Bartolucci:** The reality is, the process in this place is that you introduce bills and bring them forward for discussion. We all know that's what happens. I look forward to them bringing that bill forward to have full and open debate.

But let's talk a little bit about sincerity. I think that's what this is all about. The third party stands up and talks about increasing hospital beds, yet when they were in government they cut hospital beds by 8,000.

Let's talk about sincerity with doctor shortages. They stand up here and say we need more doctors, yet when they were in government they cut medical spaces by 10%.

This is a party that today pretends they care about gas prices. The last time the provincial portion of the gas tax was increased was in 1992, under that government.

There is no sincerity over there. Let's allow the process to unfold.

## TAXATION

**Mr John R. Baird (Nepean-Carleton):** My question is to the Premier. Canadians from coast to coast are becoming cynical about politicians and the promises they make before election day. Voter turnout is in decline right across the country because voters don't think their votes matter.

Premier, before election day you promised not to raise taxes by one cent—not by one cent. But today you won't rule out raising provincial income tax rates and you won't say no to a 9% or 10% PST. If it was good enough to promise before election day that you wouldn't raise taxes, why can't you get up and just promise not to raise them today? Why can't you just say no to your finance minister, who seems to be on a spending spree and wanting to raise taxes? Will you just stand in your place and say no to a 9% or 10% PST?

**Hon Dalton McGuinty (Premier, Minister of Intergovernmental Affairs):** We have a much more positive outlook on the world, as you might expect. We look forward to saying yes to smaller classes in the early years; yes to lead teachers in our elementary schools with special skills in numeracy and literacy. We look forward to saying yes to higher student achievement. We look forward to saying yes to shorter waits for cancer care and cardiac care. We look forward to saying yes to more nurses and more doctors. We look forward to saying yes to the vulnerable who have waited far too long when it comes to having their basic needs met. Those are the kinds of things we look forward to saying yes to.

**The Speaker (Hon Alvin Curling):** Supplementary.

**Mr Jim Wilson (Simcoe-Grey):** I just want to follow up on the question my colleague asked about the breeding of cynicism in this province, Premier. I wonder if you're feeling at all bad about it.

Today alone your northern minister got up—he had every answer when he was in opposition about gas prices in northern Ontario and across the province, and you refused to even pass the legislation he brought forward at that time. Northerners today have a reason to be cynical. Obviously, today you say you're going to put money into long-term care for our seniors, but in February you took away tens of millions of dollars by eliminating the property tax rebate in our nursing homes.

I've got another one for you: You don't pay your bills to municipalities. The Town of the Blue Mountains is owed \$360,000 for last year's policing costs under the CRF program. You're not paying your bills. You promised to pay your bills. You're going to bring a budget out next Tuesday. Would you end the cynicism, at least among municipalities today, since you won't help people who pay for gasoline and you won't help seniors? Would you at least end the cynicism among municipalities and pay your bloody bills from last year before you bring the budget out this year?

*Interjections.*

**The Speaker:** Order. Could I ask the House's indulgence to give me a moment for us to calm down a little bit.

**Hon Mr McGuinty:** I appreciate the member's commitment and determination. I can understand why he's so frustrated because of the unpaid bills left behind by the previous government. It's not just a matter of a \$5.6-billion deficit. It's a matter of the unpaid bills with respect to our hospitals, the unpaid bills with respect to our children's aid societies, the unpaid bills with respect to our colleges, and now the member brings to our attention—and we're grateful for this information—yet another unpaid bill left behind by the previous government, something else that we're going to have to clean up. I can tell you, we're working as hard as we can to clean up all those unpaid bills left behind by the previous government.

## ENVIRONMENTAL HEALTH AND SAFETY EDUCATION PROGRAM

**Ms Caroline Di Cocco (Sarnia-Lambton):** My question is for the Minister of Training, Colleges and Universities. Minister, Sarnia-Lambton is well on its way to becoming a model community that is both pro-environment and pro-business. Lambton College in my riding has been a leader in this unique effort to better prepare its students to be both responsible industry leaders, highly trained employees and good citizens. To that end, Lambton College has been laying the groundwork for some time for better educational opportunities in the field of environmental health and safety and sustainable development. Minister, can you tell us what progress has been made on this front?

**Hon Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** I'd like to thank the member from Sarnia-Lambton for this question. I'm really pleased to say that Lambton College has brought forward and received approval for a new program in environmental health and safety. It will be a four-year degree program which will qualify students for a bachelor of applied technology in environmental health and safety. The first batch of students will be admitted in September 2005, 48 students to start.

I think this is a perfect example of what our locally based thinking can do for our province. Here is a college in Sarnia bringing forward environment-related programs which will be very helpful to their area. Another example of this could be our institutions in northern Ontario coming forward with forestry-type programs. It just goes to show you that our province is not simply run from Queen's Park.

**Ms Di Cocco:** I'm proud of the work that Lambton College has done to attain this program, and this is excellent news for the students of Lambton College and for Sarnia-Lambton. Minister, can you tell us what types of employment opportunities will be available to the graduates of this program?

**Hon Mrs Chambers:** The graduates of this program could be educators in environmental issues. They could be consultants or industrial hygienists. They could be involved in a variety of environment-related practices. They could also work with our government to ensure that the work the Minister of the Environment and her ministry are working on will be successful and will benefit all of the people of Ontario.

1500

#### BY-ELECTION IN HAMILTON EAST

**Mr Tim Hudak (Erie-Lincoln):** A question for the Premier: The member for Nepean-Carlton, Mr Baird, and I have a friendly bet. He says you don't have the courage to go and campaign in Hamilton East. I want to give you the benefit of the doubt. He says you don't have the guts to go door to door in Hamilton East. I think you're going to knock on at least one, maybe two doors. Premier, don't let me down. Will you visit Hamilton East, even just once, before the vote?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I will take that as a plea for more research money on the part of the opposition. I'll speak to the Minister of Finance about that directly.

I can say that we are very proud of the effort being made by Ralph Agostino, our candidate in Hamilton East. He has been leading an outstanding effort. We very much look forward to the results of the by-election and have every confidence in the people living in that riding to make the best decision.

**Mr Hudak:** The Premier may be proud of his local candidate, but he certainly is not very proud of you. I looked through each of his brochures, and not a single picture of Dalton McGuinty in any of those local

brochures. In fact, the last time the Premier was in Hamilton East was the day he dropped the writ. He's been the invisible man in Hamilton ever since. Everybody else in the assembly has been down to Hamilton except for the Premier. But I think I know why. It's because Dalton McGuinty is the albatross around Ralph Agostino's neck.

If you don't have the courage to go door to door, this is what you would hear from the people of Hamilton East: "Premier, you've broken your promises. You said one thing before the election, and once you got the keys to the big office, you said something completely different. You're asking us, cynically, to vote just five days before the budget of tax hikes, big deficits and broken promises." I'll ask you again, Premier: There are just over 50 hours left before the vote. Will you knock on at least one door in Hamilton East?

**Hon Mr McGuinty:** This is the first time I've learned my picture is not on the pamphlet. I must say I've been cut to the quick. I'm not sure—I'm deeply hurt. As I say, I'm proud of the effort being led by Ralph Agostino and the team he has assembled, the people there on the ground. I know they've been working feverishly and furiously to get the support of the people of Hamilton East. I know he's very much committed to serving the people in that riding and earning the privilege of representing them in the upcoming by-election. We're proud of that effort, and again, I very much look forward to the results coming up.

#### LONG-TERM CARE

**Mr Dave Levac (Brant):** My question is for the Minister of Health and Long-Term Care. We all know that some senior citizens who live in our province's long-term-care facilities are some of the most vulnerable and fragile citizens in this society. Today you announced our government's strategy to protect those very dear people. In my riding and ridings across the province, that is great news. Can you explain for us again how much money is going to be spent on this particular initiative you've introduced, and more importantly, how will it be allocated across the province?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I think it's fair to say that all members of the House and all Ontarians were shocked to see what I saw reported by the media, which was conditions of abuse and neglect in our long-term-care facilities. The actions we've taken today based on the report by the member for Nipissing re-establish as a priority the provision of services in long-term care: \$531 million, \$340 million for the expansion of beds in long-term care on an annualized basis and \$191 million to enhance by 2,000 the number of people working in support of our frail seniors in long-term-care facilities. That's 600 nurses as a minimum, dieticians, nurse practitioners and a variety of others who will be deployed to enhance the quality of life for those people living out their final days.

We deliver on the promise of revolution, to ensure that people have the opportunity to live out their final days

with all the dignity and respect a province like Ontario ought to provide.

**The Speaker (Hon Alvin Curling):** Supplementary?

**Mr Mike Colle (Eglinton-Lawrence):** I have a supplementary to the same minister. The high standards you reference are only as good as your ability to enforce them. Nurses are on the front line of health care delivery in long-term-care facilities and are in the best position to report violations of the standards. Minister, what will you do to ensure that nurses and other health care workers can be protected by proper whistle-blower legislation?

**Hon Mr Smitherman:** One of the things the member from Nipissing found as she did her work in discussion with union representatives, as an example, was that on the issue of mandatory reporting of abuse, workers require the protections necessary.

I'm very pleased to say that our reforms announced today include a commitment to bring forward the necessary legislation to provide whistle-blower protection. On that point, here's what the registered nurses of Ontario had to say: "Whistle-blower protection is an important safety valve in the health care system that ensures nurses and other health care workers can report suspicion or evidence of elder abuse without fear of reprisals from employers." On that basis, it's well said by the RNAO. That's why we've committed to it. We think it's an essential element of the protections necessary for our seniors as they live out their final days with all the dignity and respect that a province like Ontario ought to deliver. We haven't, on a consistent enough basis, done that. But I assure you that with the reforms we introduced today, we will.

#### TFO

**M. Gilles Bisson (Timmins-Baie James):** Ma question est au premier ministre. Vous savez que dans la dernière élection il y a eu des engagements par votre parti demandant que TFO ait son propre CA autonome, séparé des anglophones. Justement, dans votre plate-forme électorale vous avez dit :

« Un gouvernement McGuinty posera des gestes concrets en vue de favoriser le développement de la collectivité francophone par le biais des initiatives suivantes :

« En donnant à TFO son autonomie par la création de son propre conseil d'administration dont tous les membres parlent français. »

Quand est-ce qu'on peut attendre que vous allez garder cet engagement?

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** Speaker, I refer the matter to the minister.

**Hon Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** One day I hope to be able to respond to you in French.

Let me tell you what we are doing so far with TVO/TFO. The board is 13 members strong and currently has three francophone members. As a first step we are filling the next three vacancies, two of which are available right now, and another one will become avail-

able next month, with francophone members. This will bring the composition of the board to six francophone members and seven anglophone members, and we will continue to work with this organization to make sure that our francophone Ontarians are very well represented by TVO/TFO.

**M. Bisson:** Ce n'est pas votre engagement, la promesse que vous avez faite. C'était très clair dans la dernière élection. Dans votre plate-forme électorale vous avez dit que vous étiez pour avoir un conseil d'administration séparé, autonome pour les francophones. Là, on apprend qu'on va peut-être avoir une autre personne qui va siéger sur le CA en totalité de TFO/TVO.

Quand le GITE vous avait écrit une lettre, vous avez dit une deuxième fois que oui, vous alliez assurer—que vous étiez pour avoir une administration et pour avoir un CA francophone autonome pour les francophones. Pourquoi ne pas garder votre engagement? Vous avez dit très clairement, « Autonomie pour TFO. » Vous n'avez pas dit, « Avoir une autre personne sur le CA. » Est-ce que c'est encore une autre promesse électorale qui a été brisée?

**Hon Mrs Chambers:** I'm happy to tell the member that we are going in the right direction. We are indeed working toward that commitment, and I'm very pleased that we have already, so very quickly, taken steps to make sure that Ontario's francophone population is very well represented in their educational programs.

These francophone board members will continue to work hard toward representing the interests of francophone Ontarians. We are getting there, and I'm very pleased with the progress we have made so far. We do have a four-year mandate.

#### 1510

#### PREMIER'S ANNOUNCEMENT

**Mr Robert W. Runciman (Leeds-Grenville):** My question is for the Premier. We were just advised that your office has asked the provincial television networks for free time next week for you to appear on province-wide TV—before the budget apparently—to make an announcement of “historic significance.” I wonder if you could ensure that that is a legitimate request, that you have made exactly that request, and elaborate on why you would not be making an announcement of historic significance in this chamber.

**Hon Dalton McGuinty (Premier, Minister of Inter-governmental Affairs):** I can say that my office may very well have made some inquiries, but nothing has been finalized, and nothing has been concluded.

**Mr Runciman:** If the Premier is contemplating making an announcement of historic significance before the budget, I'd ask him how that squares with the rhetoric we've heard from his party and his government with respect to a democratic deficit. We all, hopefully, believe in this place that the members who come here are representing the constituents throughout the province.

Will you show the appropriate respect for this chamber so that any announcement of historic signifi-

cance will take place in this chamber? If, indeed, you're going to be making an announcement before the public at large through the various TV networks, following the announcement in the chamber, will you also join that request so that the members, the leaders of the two opposition parties, will have equal time?

**Hon Mr McGuinty:** This is just too rich. To get this kind of criticism from a member of the previous government, which had the temerity, the audacity, to break with parliamentary tradition going back hundreds of years, to be the first government ever to introduce a budget outside these hallowed halls, is just a bit too rich. I can tell you this much: We will respect the traditions of this Legislature, and we will introduce the budget inside this building.

#### FOREST FIREFIGHTING

**Mr Bill Mauro (Thunder Bay-Atikokan):** My question is for the Minister of Natural Resources. There was a fire management strategy prepared 15 years ago. Why, on Friday, did you introduce a new forest management strategy? What are the benefits of that strategy?

**Hon David Ramsay (Minister of Natural Resources):** I thank the member for the excellent question and his interest in forest management, especially in northwestern Ontario. As the member said, the previous fire management strategy was designed 15 years ago. This strategy really has to reflect today's changing demands on our forest uses in our plans, which are very complex, more complex than they were 15 years ago.

This strategy is consistent with our commitment that was made under the Ontario forest accord to increase levels of fire protection in the developing forest areas. This new management strategy is an important step forward in taking a more balanced approach to forest fires. It will continue to focus on protecting human health, property and natural resources against the threats of wildfire.

**Mr Mauro:** You mentioned the Northern Boreal Initiative and the six new management zones. How will this new strategy address the Northern Boreal Initiative?

**Hon David Ramsay:** This is a very important part about this. As I think many members would know, we are working on a northern boreal strategy that is basically working in partnership with our First Nations north of 51, in developing the future harvesting of resources in that area. As we work and develop in that area, we're going to have to have more intensive fire protection of that resource, as these communities are going to become dependent upon that for a revenue stream. We are gradually increasing fire protection as we move north, so that we protect the future revenue resources of our aboriginal peoples.

#### WATER QUALITY

**Ms Laurie Scott (Haliburton-Victoria-Brock):** Today my question is for the Minister of the Environ-

ment. This past weekend, your colleagues attended the Ontario Small Urban Municipalities Conference. While they were there, they announced to residents of Walters Falls that there would be a six-month moratorium on regulation 170. Minister Smitherman was quoted on Friday as saying, "We recognize there's a challenge in the regulations, and that's why Minister Dombrowsky indicated that the regulations that affect them are on hold for six months." Yesterday in the House, the Minister of the Environment stated, "We most definitely are prepared to deal with regulation 170."

Small businesses, campgrounds, community halls and churches have been trying for months to get you to listen to their concerns. Their concerns have been raised repeatedly by both opposition parties in the Legislature. This matter has been pre-announced to death. Would the minister please confirm today that the government is going to listen to the people and is imposing a six-month moratorium effective today?

**Hon Leona Dombrowsky (Minister of the Environment):** I've had the opportunity on numerous occasions in this House to address the issue of regulation 170. As recently as yesterday I explained to the members of the assembly that I would be making an announcement this week with regard to that particular regulation.

I know that there is a great anxiety and people across the province are very anxious for the ministry's response to this, but I would suggest that it is a very complex issue. This government intends to take the time to consult with the people we need to, to ensure that we get this right this time, something that the previous government did not take the time to do.

It strikes me as very strange that members from the previous government stand in this House regularly to press for an answer, and it was because they were in such a rush in the previous administration that they didn't get this regulation right the first time.

**The Speaker (Hon Alvin Curling):** Supplementary.

**Mr Ernie Hardeman (Oxford):** Minister, the announcement of a six-month moratorium on regulation 170 by two of your cabinet colleagues was not made by accident. I can't believe two cabinet ministers would misspeak at the same conference at the same time to members of the media.

A moratorium on this regulation would save rural churches and halls the unnecessary anxiety of rushing to meet regulations that may not apply to them in the end, and it would allow your ministry to stop enforcing the regulation until the changes were made.

Minister, as you have just stated, you are going to make an announcement this week. Why would you not make that announcement today and say there is a six-month moratorium, so these people in the churches and halls will no longer have to live with this anxiety? They can quit prancing around and start looking after the needs of their community, as opposed to waiting for your regulation changes to be made, so they can get on with

their business. Minister, why don't you make that announcement today if you know what it's going to be?

**Hon Mrs Dombrowsky:** If the honourable member knew what was needed in rural Ontario, why didn't you do it when you crafted the regulation?

What I have committed to this Legislature is that there will be an announcement this week. What I will also be able to commit when we make the announcement is that it will have had a fulsome review. We will have had an opportunity to consider totally what the stakeholders have contributed to this debate, this very important issue. When we come forward, I can assure the members of this Legislature and the people of Ontario that it will provide both a short-term and a long-term plan on how to ensure that water in the province of Ontario is protected.

#### ROAD SAFETY

**Mr Pat Hoy (Chatham-Kent Essex):** My question is for the Minister of Transportation. You introduced a bill that talks about the measures it will take to protect Ontario's youth. I think this is an important initiative. I think we can all welcome your commitment, at first reading, to seek to reduce the number of children injured or killed on our roads. But can you, Minister, please tell me what sort of scale of problem we are dealing with here and why you believe that extending the law on booster seats and children's car seats is the right way to move forward?

**Hon Harinder S. Takhar (Minister of Transportation):** First of all, I want to thank my colleague for asking the question, but I also want to thank him for the work he has done in this area.

The bill that I introduced in the Legislature is based on very concrete research. In the last five years, about 700 children were killed on the roads, and death on the highway is the leading cause of death of kids between the ages of one and nine. The research shows that booster seats can reduce the likelihood of death and injury by about 75%.

1520

#### NOTICE OF DISSATISFACTION

**The Speaker (Hon Alvin Curling):** Pursuant to standing order 37(a), the member for Simcoe North has given notice of his dissatisfaction with the answer to his question given by the Minister of Transportation yesterday concerning consultation with police services. This matter will be debated this afternoon.

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Mr Speaker: I would ask for unanimous consent right now to be able to move my Bill 74, Keep Your Promises at the Pump Act, Mr Bartolucci, and that it be passed today, second and third reading, by unanimous consent.

**The Speaker:** Do we have unanimous consent for the motion by the member from Timmins-James Bay? No.

#### PETITIONS

#### PROPERTY TAXATION

**Mr Jim Brownell (Stormont-Dundas-Charlottenburgh):** I have a petition signed by about 900 constituents from Glengarry county, and on which I've affixed my signature.

"To the Parliament of Ontario:

"Whereas Glengarry county property holders are now under extreme financial stress due to soaring property assessments;

"We, the undersigned, petition the Parliament of Ontario to act immediately to remedy this dire situation as follows:

"(1) that Glengarry ratepayers living on fixed incomes have their property assessments reviewed and pegged to the annual rate of inflation; and

"(2) that all other Glengarry ratepayers have their property assessments capped at 3.5% per annum."

#### HIGHWAY 407

**Mr John O'Toole (Durham):** "To the Legislative Assembly of Ontario:

"Whereas the timely and efficient movement of people and products is critical to the success of the Ontario economy;

"Whereas the province of Ontario is meeting the challenge of traffic congestion in the greater Toronto area by improvements to our highway network and by providing public transit;

"Whereas the construction of Highway 407 eastward into Durham region, across Clarington to Highway 35/115, would improve the flow of traffic in Durham region and throughout the GTA;

"Whereas citizens and municipalities of Durham region have faced uncertainty over the final alignment of the proposed 407 highway for many years and are entitled to a timely resolution of this matter;

"Whereas CAAC, the Clarington agricultural advisory committee, has expressed concerns and advocates for final construction completion of Highway 407 through Clarington, connecting 35/115;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario take steps to fast-track the extension of Highway 407 eastward into the regional municipality of Durham and that this commitment include the extension of Highway 407 through Clarington to connect with Highway 35/115, while ensuring that all the necessary environmental assessments and public consultations are followed," as they should be.

I'm pleased to sign this in support of this petition presented by Mr Bert Werry.

## HOSPITAL FUNDING

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the Sudbury Regional Hospital is a regional referral centre, serving patients from across northeastern Ontario;

"Whereas the burden of raising money to pay the local share of the hospital reconstruction costs has fallen primarily on to local residents;

"Whereas city council and local residents have already committed more money to the project than we were required to;

"Whereas imposing a private mortgage scheme on the hospital to pay more costs at the local level would be disastrous for patients, hospital programs and staff;

"Therefore be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the Liberal government to fund 85% of the capital costs of reconstruction at the Sudbury Regional Hospital."

I agree with the petitioners and I sign my name to this petition.

## GO TRANSIT SERVICE

**Mr Bob Delaney (Mississauga West):** I have petition from another group of weary commuters in Mississauga, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the city of Mississauga has, within a generation, grown from a linked collection of suburban and farming communities into Canada's sixth-largest city, and tens of thousands of people daily need to commute into and out of Mississauga in order to do business, educate themselves and their families and enjoy culture and recreation; and

"Whereas gridlock on all roads leading into and out of Mississauga makes peak period road commuting impractical, and commuter rail service on the Milton GO line is restricted to morning and afternoon service into and out of Toronto; and

"Whereas residents of western Mississauga need to 'commute to commute,' driving along traffic-clogged roads to get to overflowing parking lots at the Meadowvale, Streetsville and Erindale GO train stations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Transportation and highways, instruct GO Transit to allocate sufficient resources from its 2004-05 capital budget to proceed immediately with the acquisition of land and construction of a new GO train station, called Lisgar, at Tenth Line and the rail tracks, to alleviate the parking congestion, and provide better access to GO train service on the Milton line for residents of western Mississauga."

As one of those residents, I'm pleased to affix my signature.

## ONTARIO DRUG BENEFIT PROGRAM

**Mr Jim Wilson (Simcoe-Grey):** A petition addressed to the Legislative Assembly of Ontario:

"Whereas the McGuinty Liberals by no means campaigned on raising the rates associated with the Ontario drug benefit program; and

"Whereas the majority of seniors, many of whom live on a fixed income, cannot meet the expense of higher costs for essential medication; and

"Whereas seniors in Simcoe-Grey and across Ontario should never have to make the choice between eating and filling a prescription;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To cancel any plans to raise costs for prescription drugs for our seniors and to embark on making vital medication more affordable for all Ontarians."

I've signed that petition.

## PRIMARY CARE

**Mr Jeff Leal (Peterborough):** "To the Legislative Assembly of Ontario:

"Whereas the community of Peterborough is suffering a crisis in terms of accessibility to health care, brought on by a severe and growing shortage of family physicians; and

"Whereas the community of Peterborough has demonstrated extraordinarily strong local leadership in developing a proposal for primary care reform, which is very innovative and will provide access to primary care for a growing list of more than 20,000 residents in our community without a family physician; and

"Whereas this proposal has been endorsed by the county of Peterborough, the city of Peterborough, the Peterborough County Medical Society, the Peterborough Community Access Centre, the Peterborough Regional Health Centre, and the Peterborough County-City Health Unit;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To work with representatives of the local community to ensure that all residents of Peterborough have access to an appropriate primary care provider through the timely implementation of the proposed integrated primary care model, as this model provides appropriate and equitable compensation for family physicians while incorporating sufficient interdisciplinary health care providers, community linkages and appropriate administrative, infrastructure and information technology supports to enable health professionals to enjoy a more realistic, healthy work-life balance."

I will sign this petition.

## MOTORCYCLE INSURANCE

**Ms Laurie Scott (Haliburton-Victoria-Brock):** "To the Legislative Assembly of Ontario:

"Whereas tens of thousands of responsible motorcyclists are being hit with huge increases in insurance or are being denied coverage because of the type of vehicle they ride;

"Whereas the premiums for the mandatory insurance coverage for motorcyclists have increased on average over 40% in the past two years;

"Whereas many responsible riders can no longer afford to insure their motorcycles due to high insurance costs;

"Whereas sales of motorcycles in Ontario have dropped over 7% year-to-date this year, a figure attributed directly to the increase in insurance rates; and

"Whereas many businesses and individuals in the motorcycle industry are suffering due to the loss of sales and decreased employment high insurance rates are causing;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Please amend the insurance regulations to make motorcycle insurance more affordable and to ensure motorcyclists are treated fairly and equitably by insurance companies, brokers and agents."

It's signed by many people from my riding.

## IMMIGRANTS' SKILLS

**Mr John Wilkinson (Perth-Middlesex):** A petition to the Legislative Assembly of Ontario:

"Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

"Whereas newcomers to Canada who choose to settle in Ontario find frequent and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising their professions, trades and occupations for which they have been trained in their country of origin; and

"Whereas Ontario, its businesses, its people and its institutions badly need the professional, managerial and technical skills that many newcomers to Canada have and want to use;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Training, Colleges and Universities and the other institutions and agencies of and within the government of Ontario, undertake specific and proactive measures to work with the bodies regulating access to Ontario's professions, trades and other occupations in order that newcomers to Canada gain fair, timely and cost-effective access to certification and other measures that facilitate

the entry or re-entry of skilled workers and professionals trained outside Canada into the Canadian workforce."

I proudly affix my signature.

1530

## OPTOMETRISTS

**Mr Jerry J. Ouellette (Oshawa):** I have a petition that reads as follows:

"Whereas the last funding agreement between the Ministry of Health and Long-Term Care and the Ontario Association of Optometrists expired March 31, 2000; and

"Whereas the optometric fees for OHIP-insured services remain unchanged since 1989; and

"Whereas the lack of any fee increase for 15 years has created a crisis situation for optometrists; and

"Whereas fees for OHIP services do not provide for fair or reasonable compensation for the professional services of optometrists in that they no longer cover the costs of providing eye examinations; and

"Whereas it is in the best interests of patients and the government to have a new funding agreement for insured services that will ensure the most vulnerable members of society are able to receive the eye care they need;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Health and Long-Term Care resume negotiations immediately with the OAO and appoint a mediator to help with the negotiation process in order to ensure that optometrists can continue to provide quality eye care services to patients in Ontario."

I affix my name in agreement.

## ONTARIO BUDGET

**Ms Laurel C. Brotin (Etobicoke-Lakeshore):** "To the Legislative Assembly of Ontario:

"Whereas the parliamentary tradition in Ontario of presenting annual budgets in the House of the Legislative Assembly has existed for decades; and

"Whereas the previous government in 2003 showed disrespect for our public institutions and the people of Ontario by presenting a budget inside a private, for-profit auto parts factory; and

"Whereas the previous Speaker of the Legislative Assembly condemned the actions of his own party's government;

"We, the undersigned, petition the Legislative Assembly of Ontario to uphold parliamentary tradition and hold a public presentation and debate of the 2004 budget, and every budget thereafter, by our publicly elected members of Parliament inside the legislative chamber."

I agree with the petition and I am signing my name to it.

### TTC RIGHT-OF-WAY

**Mr Tony Ruprecht (Davenport):** I have a petition that will affect every resident who lives near the St Clair Avenue area in Toronto.

"To the Parliament of Ontario and Minister of the Environment:

"Against a dedicated TTC right-of-way on St Clair Avenue West;

"Whereas an environmental assessment is underway on St Clair Avenue West to study potential transit improvements, including the possibility of installing a dedicated TTC right-of-way;

"Whereas the consultation process so far has been in bad faith, top-down and rushed, which has disappointed and angered the local community almost entirely, and not been up to any acceptable public standards;

"Whereas comments by the chair and the members of the Toronto Transit Commission have made it clear that there is a predetermined outcome to the environmental assessment process, regardless of the objections of the local community;

"Whereas a dedicated right-of-way would force significantly more traffic on to our local streets;

"Whereas safety must be a high priority for any alternative selected and, according to the ambulance and fire department staff, they don't like to work with rights-of-way;

"Whereas a right-of-way would lead to the reduction or elimination of on-street parking on St Clair Avenue West;

"Whereas the right-of-way will have substantial negative economic effects on local businesses;

"Whereas there is no guarantee that a dedicated right-of-way will improve transit service substantially, as the number of streetcars serving the street will actually be reduced;

"Therefore we, the undersigned, strongly urge the Minister of the Environment to order a full environmental assessment on St Clair Avenue West, one that genuinely consults and takes into consideration the views and opinions of the local community."

Since I agree, I affix my signature to this petition.

### TAXATION

**Mr Jim Wilson (Simcoe-Grey):** I have a petition to the Legislative Assembly of Ontario.

"Whereas every day, 1.5 million Ontarians, including seniors, health care workers and students, purchase a basic meal that costs less than \$4; and

"Whereas a new 8% tax on such meals will disadvantage low-income Ontarians; and

"Whereas adding a tax for the first time on a glass of milk, a salad, a bowl of soup or a cup of coffee will affect a total of 1.5 million Ontarians each and every day in restaurants and cafeterias across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not impose a new 8% tax on basic meals under \$4."

I agree with that petition, and I have signed it.

### ONTARIO BUDGET

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I have a petition addressed to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas the parliamentary tradition in Ontario of presenting annual budgets in the House of the Legislative Assembly has existed for decades; and

"Whereas the previous government in 2003 showed disrespect for our public institutions and the people of Ontario by presenting a budget inside a private, for-profit auto parts factory; and

"Whereas the previous Speaker of the Legislative Assembly condemned the actions of his own party's government;

"We, the undersigned ... petition the Legislative Assembly of Ontario to uphold parliamentary tradition and hold a public presentation and debate of the 2004 budget, and every budget thereafter, by our publicly elected members of Parliament inside the legislative chamber."

I agree with the petition, and I affix my signature to it.

### ORDERS OF THE DAY

#### GOVERNMENT ADVERTISING ACT, 2003

#### LOI DE 2003 SUR LA PUBLICITÉ GOUVERNEMENTALE

Resuming the debate adjourned on May 6, 2004, on the motion for second reading of Bill 25, An Act respecting government advertising / Projet de loi 25, Loi concernant la publicité gouvernementale.

**The Speaker (Hon Alvin Curling):** The member from Oshawa has the floor.

**Mr Jerry J. Ouellette (Oshawa):** Thank you, Mr Speaker. I'll continue where I left off. As mentioned before, I'm sharing my time with the member for Haliburton-Victoria-Brock.

When we were discussing this last Thursday, I spoke about the difficulties of bringing a writer in from the United States and the impact it would have, and the fact that it takes about three years for that impact to be seen within our community. In this particular bill, the concern I was expressing at the time was turning over authority to the deputy minister. If that individual doesn't believe it's warranted or can be of assistance, then it may not be of benefit.

I also wanted to mention one of the aspects under subsection 6(1), where it specifically states the standards that an item is required to meet: "To inform the

public of current or proposed government policies...." I have some concern under that section that essentially it doesn't change what's taking place. Later, it goes on to talk about: "To promote Ontario or any part of Ontario as a good place to live, work, invest, study or visit." How does that affect or change what's taking place?

Mind you, I will admit that in accordance with what they've said in subsection 6(1)3, on promoting a positive image, where it talks about the "voice or image of a member of the executive council or a member of the assembly" not being shown in any of that. When I had the privilege and honour to work as a minister, I very much remembered when I was in my youth and how that ministry stood out in my mind, and what took place in time and how I used to receive those fishing regulations every year. The minister's message used to be in there and I looked forward to that every year as a young kid. I thought, "Someday, that would be a nice thing to do." I don't recall who it was, but I do recall Lyn McLeod's comments in there later, or Vince Kerrio's and a number of other people, and what they had to say about their ministry and how they intended to move forward and the things they wanted to do.

I was somewhat concerned or felt it was lacking within the new regulations, whether it was the parks guides or the fishing guides or the hunting guides, when they came out, that there was no direction or understanding put forward. I kind of felt that, as a minister, you have a certain pride within your ministry, and you take that pride, no matter which party you represent, and try to represent the best interests of all people. Yes, we have different opinions on how to move forward, but that was an opportunity for those ministers to say what they wanted to do, and it's now lacking in that aspect.

Also, I spoke about the positive impact. What was taking place was that advertising was being allowed outside the province of Ontario. The difficulty with that is, what happens if the ads show up back in Ontario? If you're trying to promote Ontario and the great things that we have to offer here—and the people—but what happens when you get into the CRTC regulations, when the ads all of a sudden, on a Buffalo station, show up being advertised in Ontario? Those are some of the ways that you could kind of work on that.

I know that my colleague the member from Haliburton-Victoria-Brock is anxiously waiting, so I will turn the floor over to her.

**1540**

**Ms Laurie Scott (Haliburton-Victoria-Brock):** I'd like to thank my colleague from Oshawa for his comments on the bill. I'm happy to have the opportunity to speak to Bill 25 and join the debate on that, the Government Advertising Act, 2003. I am a new member of the Legislature, so I hope I can add some productive comments on the observations that I've seen since I've been here, and before.

The government's motive for introducing the legislation is perceived indiscretions of the past government with regard to government advertising. Many people and

organizations have waded into this debate over the course of the past number of years as to what is perceived to be partisan and what is not. Far be it from me to take this House's time in reviewing all the many and varied advertising products that we've all seen before I was elected and since I've been elected, but this is a mutual concern.

As an example, I don't think anyone in the House would be critical of the past government when it spent taxpayers' money on advertising for precautions: the West Nile virus, the flu shots, anti-smoking campaigns, or the Telehealth advertisements, which were certainly needed to be public out there and to inform people of these various topics. Everyone in this House, and indeed all of the constituents, don't object to this past form of advertising. I don't think they would object today or in the future, because that form of government advertising is certainly acceptable and needed.

The truth of the matter is that the vast majority of the monies spent by the past government were spent on public information campaigns about the many different issues of the day. The past government received very few complaints from the public about the partisan nature of the advertisements. It often seemed that the only complaints registered were from the members of the opposition or from their supporters.

The current government, upon taking office, has also made some changes to make government publications reflect, for example, their political party colours on many of their publications, including on their own government's letterhead. We've all heard in the House, from a number of speakers, about the changing of the government job publication Topical. As we know the story, the masthead of the publication was changed to Liberal red. Then the publication was subsequently changed back to a different colour—to green.

It does show that everyone, all ministers, have to be cautious and vigilant when it comes to making sure their publications are not seen to be too partisan. Topical is news and information about the Ontario public service. It's published by the Management Board Secretariat, Minister Phillips. I would like you to see the recent issue of Topical that featured the heading, "Government Leads by Example to Reduce Energy Consumption." It also showed a nice picture of the Management Board Chair, Gerry Phillips, on the cover.

Does this satisfy the standards that are set out in the legislation? We must lead by example, but I don't believe that the publication has met the standards, in at least two ways. The legislation sets out, "It must not include the name, voice or image of a member of the executive council or a member of the assembly." It further sets out that, "It must not be partisan." Obviously it fails that, because we have a picture of the Chair of Management Board. Right there, we seem to have an example of where the publication would fail to satisfy that standard.

I don't know how to assess what "partisan" is or how it's going to be defined in the legislation. It's going to be subjective, and I guess the auditor or someone else is

going to be making those calls. There's certainly going to have to be a balancing act involved in what is called "partisan" and what is not. Maybe the guidelines should be: Does it promote government policies, or is it in the public interest? So it's going to be up to the auditor to make that decision, when and if the legislation is passed.

When you're putting a picture of a member of the executive council when the primary objective of the item is to foster a positive impression of the governing party, and you know that this item is paid for by the government, certainly that has to be covered by this legislation. I hope this type of practice is going to stop once this legislation is passed.

The statute deals with the partisan political interests of the governing party, whether it's advertising, printed material or messaging. It does not deal with specific advertising that attacks the opposition. That is something that certainly should be covered under any amendments.

The government is already advertising in local community newspapers, trumpeting the new water regulations, which have been discussed many times in this Legislature. Under the past government, these ads would have been seen as partisan, because they are touting what a great job the government thinks it's doing on water regulations and the environment. Those of us in the Legislature who represent rural ridings can attest that the jury is still out on whether or not these water regulations, as they are currently enforced, are indeed something this government should be trumpeting. I'm hopeful that soon, as the minister explained today, there will be changes to the drinking water standards in our community halls, our churches and our municipalities that are reasonable.

I know in the past there was the issue of the highway signs that were put up during the last government's term. These signs, I will say, as has also been said before, were not put up for partisan reasons. They were put up because most Ontarians were not aware the federal government gave no financial support to the province of Ontario for road construction. I hope that changes, and that the federal government does become involved in some road construction improvements that are much needed. I hope they can persuade their federal cousins to become involved in that. They were put up to inform the taxpayer as to which level of government actually put money into the construction and repair of our province's roads.

The current government has several ministry publications going out already with the pictures of new ministers on their covers. Under Bill 25 this would certainly be a violation. I appreciate that the bill is not law yet, but I must remind the government that they are introducing this. This is part of what they have campaigned on, and yet they have already sent out publications with their ministers' pictures on them. I hope it's going to be explicit in the bill that it's going to ban the photographs of members of the executive council in government publications but at the same time allow some of these publications to be distributed by various ministries.

There's also a slight flaw in Bill 25 in the lack of a definition of the word "advertising." My colleague from

Barrie-Simcoe-Bradford said the other day that there is no definition of the word "advertising." Then the application of the law is going to be subjective.

Also, the role of the Advertising Commissioner is not well defined in terms of the process of appointment and the terms of reference of the position. With no appeal from the decision of the auditor, there's no recourse should the opposition disagree with this decision. That should also be looked at.

The bill is also short-sighted when it refers to what's included and excluded with regard to television advertising. It allows images of the Premier and others when the advertising deals with the promotion of Ontario abroad. That's fine on the surface; however, in this day and age, with over 300 channels being beamed across the world, it's a bit naïve to assume that none of that partisan advertising will reach hundreds of thousands of Ontarians.

In summary—and I know my time is running out—there may have been a perceived need for this bill by members of the government while they were in opposition, but I would submit that the substance of the bill, like that of so many other government bills, is lacking. The vast majority of government advertising that existed under the previous government, and that continues to exist under this government, will not fall under the bill. There are currently publications that have been distributed by this government that violate this bill, and I mentioned a few of them before. Back to definitions: There's definitely the need for a definition of the word "advertisement." The subjectiveness of that, and the ability of the government to allow partisan advertisements in foreign jurisdictions, which obviously will be seen by millions of Ontarians, is a glaring error.

I understand the motivation of the Chair of Management Board, who is certainly an honourable member, when he introduced the bill, but it unfortunately leaves many questions unanswered. We look forward to discussing possible amendments to this bill as time goes on.

**The Speaker:** Questions and comments?

1550

**Mr Rosario Marchese (Trinity-Spadina):** I just want to congratulate both the member from Oshawa and the member from this long riding of Haliburton-Victoria-Brock. There are just too many names attached to these long ridings.

But they made a specific point as well, and many other points, when they made reference to the Trillium Foundation and how that conflicts with one of the aspects of the bill, which says, in paragraph 3, "must not include the name, voice or image of a member of the executive council or a member of the assembly." This Trillium Foundation newsletter obviously includes pictures—I presume very smiley pictures; I haven't yet had a chance to see it—of various folks: the Minister of Children and Youth Services, Ms Bountrogianni; the Minister of Health figures strongly in there as well; I believe the Premier is in there; and many other members, including the member from Guelph-Wellington, were in that particular newsletter.

I just don't know whether or not that contradicts any aspects of Bill 25. The Minister of Labour probably says, "No, I don't think so." But that's the point of these bills. The minister introduces these bills and they say, "We're going to end the abuse of advertising," and it's just a show. The Minister of Labour knows that. It's just a game they play with the Ontario public. The real goal of the bill is to simply allow the public to believe that excessive government advertising is gone. That's what the game is all about. There's nothing real or substantive about how they're going to do it, because they're not. There are so many loopholes that allow for this not to happen that they think they're simply going to get away with it.

So I congratulate both members for that point of view and other points they made.

**Mr Richard Patten (Ottawa Centre):** I'd like to comment on my friend, who is new to the House, from Haliburton-Victoria-Brock, and also on my theatrical friend from Trinity-Spadina. The examples the member for Haliburton-Victoria-Brock mentioned are totally legitimate: a program to encourage people to quit smoking; a program that informs people of a new service. But that's not what we're talking about. This resulted in a tremendous reaction, where people were beginning to resent the fact that millions of dollars were going out the door in terms of surveys with the Premier's face on them and special little booklets about what's new in education, where they would talk about the government's program, with no real redeeming value in terms of anything new that somebody could do, but just information about the government's point of view on things.

The member from Trinity-Spadina says, "Come on, what is all this? This is just window dressing," or one thing or another. I think deep down he knows it's somewhat more substantive than that. Indeed, we are talking about self-promotion versus good government sharing information, promoting good health, good safety, as it says in the bill. Indeed, there may be examples right now where some agencies are doing some things that, once this bill does pass, they will be prohibited from doing. But you'll notice that there aren't any of the flagrant violations of normal courtesy and of normal respect for the resources of government in order to help address the issues of the populace.

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I appreciated the comments from the member opposite from Haliburton-Victoria-Brock. We keep raising the same issues, on occasion, during debate over matters of concern. One of them has been the matter of Topical, which is an in-house newsletter for OPS staff, some 60-odd-thousand in the province of Ontario. It's a newsletter, to folks who work for us in the province, to provide them with information. It's not paid advertising to a public body out there in some fashion. It's an in-house work.

The colour scheme became a matter of comment. In reality, if one looks at the history over the past year, you'll find that for each edition the colour scheme

changed. It has been a red colour, a blue colour, a green colour and an orange colour. It changes on a regular basis and will continue to do that. To use the time to draw attention to a particular colour and a particular edition of a newsletter that's for the purpose of sharing information with OPS staff is not in the context of the bill and paid advertising. Paid advertising is speaking to matters such as advertising on billboards with the Premier's face on it. It's speaking to newspapers and magazines in which we see a member of cabinet predominantly displayed, advertising some element of provincial business. It's intended for print material that goes out as bulk mail to hundreds of thousands, if not millions, of households across Ontario—unsolicited mail arriving on the doorstep whose function is to promote the Premier or a cabinet minister. We've seen ample examples of that. It's clearly an effort to get hold of the partisan advertising that has occurred in the past—

**The Speaker:** Thank you. Questions and comments? *Interjections.*

**Ms Scott:** Haliburton-Victoria-Brock.

**The Speaker:** I know it's Haliburton-Victoria-Brock, but you had the debate itself. It's questions and comments, but if the member from Perth-Middlesex would like to take the two minutes, he can do so.

**Mr John Wilkinson (Perth-Middlesex):** Thank you very much, Mr Speaker.

I'm pleased to speak to Bill 25 yet again because there's a fundamental question we in all parties have to ask ourselves. We in the government are in favour of this bill. I hear comments from the opposition, but the fundamental question is, are you prepared to state in this House that you are opposed to Bill 25, and that if in the future you form a government, you're in favour of repealing this Bill 25 and going to the good people of Ontario and saying: "We want it the old way. We want to go back to the days when a government could take the taxpayers' money and spend it to shamelessly promote the agenda of the government. We want to be able to put the Premier's picture on these ads. We want to put his or her name on them. We want to get the cabinet ministers on these documents. We want to go to people and ask them innocuous questions like, 'Tell us how we're doing'?"

I have never heard an opposition party in this debate stand up and say, "Yes, we are opposed to the bill, and if we ever form the government, we're going to repeal this repugnant piece of legislation." The reason they won't do that is because, I think we all agree in this place, the line was crossed by the previous administration as to what is good public policy. It is not in the best interests of the taxpayers and the good people of Ontario to have governments taking taxpayers' money and shamelessly promoting themselves. There will always be people who will debate whether the bill goes far enough, but this is something that is historic in democracy in the world. There is no other government saying that they're going to do this to themselves: restrict themselves and future governments to this shameless abuse of taxpayers' money.

I challenge the opposition parties yet again to stand up and tell us that somehow they feel this is wrong, and if they ever form a government, they would repeal it.

**The Acting Speaker (Mr Ted Arnott):** The member for Victoria-Haliburton-Brock has two minutes to reply.

*Interjection.*

**Ms Scott:** The name is going to change again soon, so it's all right.

I'd like to thank my colleague from Oshawa and the member for Trinity-Spadina for highlighting the loopholes that we are trying to point out in Bill 25. That is what we're trying to say: Bill 25 has been presented to us. There are some problems with it. Again, we go back to the definition—the decision on what's partisan and what's not partisan. There does have to be accountability to the taxpayers for how this money is spent, which my colleague from Perth-Middlesex has mentioned.

The member for Pickering-Ajax-Uxbridge mentioned Topical and the colours and if it was not a big concern that they go back and forth. All of a sudden it was red, it went back to green, so they must have been watching or were concerned about that matter.

We're certainly going to watch Bill 25. We've made suggestions on some amendments that need to be looked at because there are loopholes. We all want to spend taxpayers' money cautiously, but we want some definitions. Let's decide what's partisan and not partisan, and let's see what the auditor comes up with. Thank you very much for the chance to comment.

1600

**The Acting Speaker:** Further debate.

**Mr Marchese:** I'm happy to have this opportunity to speak to Bill 25 as well. Look, I agree with my NDP colleagues—Mr Kormos, in particular, who has spoken to this and who said that, in his view and mine, Bill 25 will not end government excesses or government advertising. It simply won't end.

The Liberal government will pretend that somehow they will end all of the abuses of the previous government, but Liberals will simply not engage in any excesses because, as you all know, Liberals are a totally different breed of politician. The Tories, of course, were evil and Liberals are not, and therefore, because Liberals have good intentions—good citizens watching this debate, it's 4 o'clock, and welcome—automatically, inherently in the argument, anything they do around advertising is OK, would not be negative unduly, would not be excessive unduly. It would simply be OK, because when Liberals do it, it's not bad.

It was simply enough prior to the election to attack Tories, because that's what people wanted to hear. You would believe Liberals when they say, "Ah, but in the future when Liberals are in office, they would not engage in any excesses of an advertising kind." You would think the people would believe that.

In the same way, prior to the election, McGuinty and the folks in that Liberal caucus said, "Oh, my God, we could have in our hands about \$650 million if we simply ended advertising"—excessive advertising presumably,

bad Tory advertising—"and got rid of all those expensive Tory consultants." You remember that?

**Mr Khalil Ramal (London-Fanshawe):** I do. That's all Bill 25 is trying to do.

**Mr Marchese:** Exactly, and Bill 25 is a part of that.

It was a very interesting thing. When a number of individuals commented on the fact that Ontario taxpayers shelled out nearly \$1,000 a day to Ottawa South MP John Manley—remember, John Manley was a member of Parliament and taxpayers were dishing out money to pay this guy to be a consultant as they were reviewing Hydro One and Ontario Power Generation. They were also dishing out taxpayers' money to two other heads of a provincial committee set up to solve the woes of Ontario Power Generation. Manley, former federal Tory energy minister Jake Epp, who has since been appointed OPG chairman, and former Scotiabank chief Peter Godsoe were each paid \$75,000 for completing the study for a publicly owned power firm. God bless. Good money if you can get it. These are people who have already a lot of pecunia in their pockets and in their bankbooks, and yet the Liberals hired a lot of these guys, people like Peter Donolo, another Liberal consultant, and John Manley, who's already getting a hefty sum of money, 140,000 bucks at the federal level, and he's consulting—suckling at the public trough doing this study. That's OK with Liberals, even though prior to the election they harangued, excoriated, the Tories for hiring expensive consultants who were simply taking taxpayers' money out of their pockets and giving it away to their friends. When Liberals do it with their friends, that's OK.

To hear Mr Dwight Duncan say, "It nets out to under \$1,000 a day, so we think it's reasonable, given the scope and timelines they had"—he goes on further to add another quote that says the following: "We said we're going to make better use and less use of them," meaning consultants, and he says, "McGuinty never said that he would eliminate all consultants." Prior to the election we were led to believe all consultants would simply disappear.

When Liberals hire consultants, you've got Dwight Duncan saying, "No, we didn't say that. We said we would make better use and less use of them." Do you understand what I'm saying? When Liberals hire consultants, that's OK because their intentions are good, but if Tories hire consultants, they're bad because they're essentially evil and up to no good. That's the political game the Liberals play that I resent.

In the same way the Minister of Education says there is going to be a moratorium on school closures, and then when boards announce there are going to be 44 schools that will close, he says, "We didn't say no school would close." I'm sorry, but you said there would be a moratorium on school closures.

You understand, the Liberal definition of things is always suspect and it is always ever so fluid. It depends very much what they say prior to the election and very much what they do after the election.

So the 600 million bucks they were going to save on consultants and advertising, I am telling you, dear

viewers of this political program, is not going to happen. Yes, they might spend less than the \$600 million the Tories spent, but it's not saying much. If you listen to Liberals, you would think all advertising and all consultants would disappear, and when you catch them at their game, they say, "No, we didn't say that." It's similar to this game they're playing with the advertising issue.

I understand that folks like the members from Ottawa Centre and Pickering-Ajax-Uxbridge are going to say what they want to say. The newsletter that people were speaking to I'm assuming is the Management Board Secretariat, this magazine they put out. As far as I know, 80,000 copies have been printed and dished out. We're not talking about a couple of newsletters here, we're talking about, as far as I know, 80,000 copies that were printed. The member from Pickering-Ajax-Uxbridge argues, "It's an in-house newsletter. It's not going anywhere important; it's just going to our workers. Because it's going to our workers, it cannot be inherently negative or bad or positive with a positive spin on government, because it's *entre nous*."

If John Baird makes a very interesting case and says—

**Mr Shafiq Qaadri (Etobicoke North):** Unlikely.

**Mr Marchese:** But you've got to give credit where it's due, because he saw the newsletter. I had been meaning to see it before making this debate. He said the colour has been changed to a Liberal red. Now the member from Pickering-Ajax-Uxbridge might make light of the issue of the colour, but he will understand, and any politician of this place might understand—or, as lawyers say, ought to understand—that the colour is symbolical.

It means something, doesn't it, John? It means something, right? John is pretending he's not listening. John and the good doctor might argue it just means the colour of blood. Sorry, Johnny. I'm sorry, member John Wilkinson from Perth-Middlesex. When people use the colour and the colour is red and it comes from the Liberal Party, it's a symbol. It doesn't matter whether you're sending it out or *entre nous* internally, it's a symbol. It's saying the Liberal Party is here, the Liberal Party is communicating with you, right?

**Hon Jim Watson (Minister of Consumer and Business Services):** Hear, hear.

**Mr Marchese:** The Minister of Labour knows it and he's cheering me on. Obviously he's going to have his two minutes to put a disclaimer or possibly refute the arguments I'm making. I'm looking forward to the lawyer making a case against the case I'm making, which is that when you change the colour to red, which is symbolically Liberal red, it means something. I'm waiting for him to make a case that it doesn't, that it means perhaps blood, that it signifies blood, or passion perhaps, or the colour of red roses. I'm looking forward to your case, Monsieur le ministre. I'm telling you, psychology is powerful.

*Interjection.*

**Mr Marchese:** The member from Ottawa Centre, he's going to speak again, because you see, he likes the

entertainment of the opposition members, and he's going to stand up and use substantive, reasonable, quiet, very—that kind of argument. I'm looking forward to another two minutes from you, the member from Ottawa Centre, to tell me why the colour red isn't symbolic of the Liberal red colours but something else, please. And please, don't be theatrical when you stand because the public just wouldn't stand for it.

*Interjection.*

**Mr Marchese:** That's right. The member from Perth says that since he's got theatre here, we can afford to have members who are less theatrical, a little boring, perhaps, now and then. But please, don't offend the Liberal members in that way.

**1610**

I'm saying to you, member from Pickering-Ajax-Uxbridge, it doesn't matter where it goes. I argue that the Liberal red is psychologically an important message that you're sending to those who work within the system and to anyone else who sees it. That's the case I make. The subtleties are important. It isn't just a matter of saying, "We the Conservative Party are doing such a great job," and it doesn't matter what it is, versus, "We the Liberal Party," with a subtle colour message. Just the colour in itself is a message, member from Ottawa Centre.

I argue with you that you have to be careful in terms of how you do your own politics, that it's all political. For Liberals to claim that somehow you would be less political is a farce. It's farcical. You did it before with Peterson and you'll do it again with McGuinty, except you're playing a game and pretending you simply are not going to do what Harris and Eves have done. I'm sorry, that's not enough for people like me who have been around for a while.

You can play the game with some people who don't know any better. There are a whole lot of people who just want to believe you, and a whole lot of people who want to believe that it's different. But when you've been around this place, the nuance is what changes; the colour changes from blue to red, but although the substance and the nuance might vary, the message is the same.

That's what burns me a little bit when I hear Liberals in debate say, "Oh, the \$600 million of waste that we've had with consultants and advertising." You lead the public to believe that somehow you are different. Liberals, especially, are not; Liberals are especially clever at playing the game.

Liberals obviously will use another measure that my colleague Peter Kormos, the member from Niagara Centre, has made mention of. He talked about the Mack truck exemption. That exemption would allow the government to be able to advertise, run TV ads in Buffalo and Rochester, New York, and have those messages come through our channels here in Ontario because people watch American television. They can do that, you see. At the moment, the Liberal government can do that and they can get away with it. They don't want to close that loophole because then it would defeat the purpose of allowing them to do what the Tories used to do that

Liberals condemned and are unwilling to change in this bill to make sure that that kind of Mack truck exemption would not happen.

They're not going to do it. They're not going to do it because they don't want to do it. They're not going to do it because they don't want any special enforcement. They're not going to do it because they do want loopholes, because they want to do what Tories did, but in a different, subtle, Liberal sort of way. That's what this is about, and that's what makes people like me irritated by Liberal politicians.

I was thinking about another issue today. I understand Monsieur McGuinty was asking three major networks to cover the budget for free under the guise that this budget has I think what's called "historical significance." How a budget on May 18 that will do nothing but whack Ontario citizens with many user fees—on possibly alcohol again; yes, on possibly more tobacco; yes, on birth certificates, death certificates, marriage certificates and driver's licence plate renewals—how a budget like that can whack Ontario citizens, those who can least afford to pay, and make it appear—as Mr McGuinty tries to get free advertising from three major networks—under the guise of historical significance, beats me. This budget has nothing but bad news coming out of it. Because there will be no new revenues, we are stuck with having to do less. Because of the Tory income tax cuts that have taken away anywhere from \$11 billion to \$13 billion, and because you have refused to tax individuals over \$100,000, from whom we could get a couple of billion dollars to pay for social programs that we desperately need, cuts that were made under the Tories that we need to restore, and because you refused to raise income taxes, we have got a problem. The budget that will come to us next week is going to hurt a lot of citizens, and a whole lot of taxpayers are going to be unhappy with that budget, I'm telling you.

This Premier wanted to go to the networks and get free advertising. Imagine. He didn't get it, evidently. He must be a very unhappy puppy. But he's going to find another way to pay for the advertising of that historical, significant speech that Sorbara will deliver on May 18. He's going to have to find a way to find a couple of dollars, the pecunia that it takes to advertise this budget that is not going to be a pretty budget, that's going to hurt a lot of people. They're going to have to put on the right spin to reach a whole lot of millions of Ontarians, to make it appear that they're going to get the best budget they've ever seen. And unless they put in money to advertise the politics of their budget that will, in many ways, contradict the essence of this bill, he's going to have a problem. So of course he's going to have to find the money, public money, taxpayers' money, to advertise his budget speech. Of course he's got to do that, because if he doesn't do that, who will advertise for him? His ministries will do it. His MPPs will do it, all taxpayers' money, and he will do it coming under the aegis of the fine kind of nuance of this particular bill.

Paragraph 6(1)5 of the bill especially allows the government to get away with virtually anything they want to

do. Number 5 says, "must not be a primary objective ... to foster a positive impression of the governing party or a negative impression of a person or entity who is critical of the government." The words are that it must not have as "a primary objective ... to foster a positive impression of the government party or a negative impression of a person or entity who is critical of the government." Within that section the government is allowed to do literally anything they want, because they will always argue that it will not be the primary purpose or primary objective of anything they publish to negatively reflect on the NDP or to positively advertise the Liberal Party and whatever it is they're doing.

Next week you will see a flurry of advertising, and it will all be done ever so subtly, so as not to contradict Bill 25. But the effect will be the same. What matters is the effect of a particular way of advertising, not whether or not you are contradicting the essence of Bill 25. And so you understand, they will always argue that it's not the primary objective of anything they do to reflect positively on themselves or negatively on us, and they're not going to fix that loophole.

**1620**

This bill is a nice little bill that the member for Perth-Middlesex says, "Ah, if you really think it's so bad, do you have the guts to vote against it?" But it's a nothing bill. Please, member from Perth, you make us feel like the earth is moving under your feet because of this bill. It's a nothing of a bill.

**Mr Wilkinson:** We'll repeal it if you force us to.

**Mr Marchese:** "Repeal it."

**Mr Wilkinson:** Will you?

**Mr Marchese:** The point, member from Perth, is not whether you're going to repeal it, but whether this does what you said it would do before the election. That's the essence of the argument I'm making.

**The Acting Speaker:** Questions and comments.

**Mr Bob Delaney (Mississauga West):** I welcome the opportunity to comment on Bill 25. I've had the privilege of spending more than two decades in corporate and consulting communications and marketing roles. As a result, I'm especially pleased with Bill 25 because of the clarity it provides to the creative types and to the media planners who are retained by governments of all stripes. Suppliers want to please their clients. Staff want to please their bosses.

With the passage of Bill 25, however, well-meaning staff and suppliers won't be able to look at an old Tory-style ad or a brochure and try to emulate its message or its tone or its look. Those in the agency business with Ontario government clients know now what will and will not reflect well on their government clients. It may start with a well-meaning piece of art, or a storyboard corrected early in the game, when the account executive's proposal is amended by a ministry manager who may say, "I'm sorry, we can't do that, people. We're just not allowed to showcase the minister any more, no matter what was done in the past and no matter where they're doing it now."

You could, in this scope, call Bill 25 the creative clarity act because it sets out the ground rules for the writers, the artists, the media planners and the others in the creative cycle. I contrast that with what went before. No matter what we may think—and we don't think well of the degree of self-promotional advertising—there was no law against it. There was nothing to tell a creative type, "You can't do that," but there is now. There was nothing to prevent, in the past, a creative type saying, "Let's do it this way," because now the law says you can't do that. It allows the creative people to focus on the business and the message of governing, and not of promoting the party that's in government, whether it's meant deliberately or whether it's meant accidentally.

We had always intended to change this practice of self-promotional advertising anyway. This way, Bill 25 puts it in black and white.

**Mr Jim Wilson (Simcoe-Grey):** I'm happy to respond briefly to the comments made by the member for Trinity-Spadina. In terms of Bill 25, the Government Advertising Act, I see the act as a cynical piece of legislation that's designed to fool the people of Ontario that somehow government advertising, if it's at all of a partisan nature, will be banned. Nothing could be further from the truth. There's nothing in this act that bans advertising. It simply allows the Provincial Auditor to prepare an annual report or special reports from time to time on his opinion on whether or not a piece of advertising is actually partisan in nature.

I think the member for Trinity-Spadina was bang-on in his criticism of the act. I couldn't figure out, as I normally can't figure out from NDP members, whether they're going to vote for this bill or not. I certainly am not. I don't know what my caucus colleagues are doing and I don't care. It's a cynical piece of crap that should never have been introduced in this House. There are many things that need to be done. Chiropractors are screaming out right—

#### *Interjections.*

**Mr Wilson:** It's "crap." The Speaker has already ruled 100 times that that word is acceptable in the English language. Go look it up.

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** Be more creative.

**Mr Wilson:** If you want to quibble about words, you should quibble about your lack of keeping any promises in government.

**Mr Wilkinson:** On a point of order, Mr Speaker: Is CRAP the Conservative Reform Alliance Party?

**The Acting Speaker:** That is not a point of order. I'll return to the member from Simcoe-Grey.

**Mr Wilson:** No, but it wasn't bad. I commend you for that. That's not bad, actually.

Anyway, it's not very good legislation. It's cynical. How you can tell the people of Ontario that this bans advertising is beyond me. There's not a lawyer in the world who will tell you it does. The title of the act doesn't even pretend to ban advertising, but I remember a specific

campaign promise that said they were going to ban political advertising. This act doesn't do it.

I commend the member for Trinity-Spadina for pointing out, in part, some of the faults in the act, and I'd like to know how he's going to vote on it.

**The Acting Speaker:** Further questions and comments.

**Mr Gilles Bisson (Timmins-James Bay):** Business first. I would like to introduce somebody who's sitting here in the gallery. This is Leonard Edwards, who's the father of Jordan Edwards, who is a legislative page here. He's down visiting. I'd like to say hello to him, and welcome.

But I want to say in regard to this particular legislation, I guess you've got to take this for what it is. On face value, this is not a bill that we, as New Democrats, oppose. If the government was serious that it wants to ban government advertising, I think that's fair. The question is, what does the legislation really do, and what concrete steps are we going to take, by way of policy, to deal with this whole issue? For example, we know that today the Premier, as was said, is now looking out there, trying to book some air time to get on television in order to be able to pre-sell his budget. Do we consider something like that to be government advertising? Is that the proper way to do things? If the government says, by way of policy, they don't want to do government advertising, that's fine, but what do we do with the real need on the part of governments, caucuses and members to be able to communicate with their constituents? For example, in this Legislature some years ago, members had a greater latitude and ability to communicate directly with their constituents by way of what we used to call mailings—I think we called them "householders" at the time—as well as being able to do direct mail. Is that a more appropriate use and way of being able to communicate with people out there? Should caucuses and governments, through their caucus budgets, have the ability to do this kind of endeavour?

To me, the issue is that when a government has the full weight and measure of the government finances, as the Tories did while they were in office, to advertise at huge costs to the taxpayer is unfair for a couple of reasons. First of all, was it money well spent? Second, was this really partisan advertising? Third, if you did it, don't you have to do it on some sort of an equal playing field with other parties, so that people are able to present both sides of the argument that a matter of policy might or might not be before us in the Legislature, or before the province, for that matter?

**The Acting Speaker:** One last question and comment.

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** I'm pleased to respond to the member for Trinity-Spadina and also to take a moment and respond to the member for Simcoe-Grey. I want to talk about the fact that our government is serious about banning partisan political advertising. That is something that we heard non-stop as we spoke to people in our communities.

Having a chance to communicate directly with the people of Ontario, whether the Premier is having a

chance to speak to people and tell them his vision of education or health care or is speaking directly to the citizens of this province, is about governing. That's not about political advertising; that's about governing. That's about sharing your vision for a province with the people of that province, who are your partners, and delivering that type of vision.

To say that this legislation is cynical is, I find, disrespectful; it's disrespectful to the people of this province, and it's disrespectful to this forum and this Legislature, where we're to have legitimate debate about what the purpose of legislation is.

I think the member from Simcoe-Grey probably hasn't read the legislation, because, as a lawyer, I have read the legislation. I do know that there is a definition of what "partisan" is. Certainly, the party that formed the government previous to us crossed that line many, many, many times. This government is not going to cross the line. We're going to communicate directly to the people of this province when it is legitimate to do so. If you want to advertise in a partisan way, that will not be paid for by the taxpayers.

Respect for the Legislature, in terms of the way we have decorum in this forum, is important and crucial. I think it's lost on the member for Simcoe-Grey. The fact that we have respect for taxpayers' dollars is also something that was perhaps forgotten by the previous government. I'm very proud to be part of a government that is going to ban partisan political advertising, shows respect for the forum in which we all represent our communities and also shows respect for taxpayers' dollars.

**The Acting Speaker:** That concludes questions and comments. The member for Trinity-Spadina has two minutes to reply.

**Mr Marchese:** First of all, I want to agree with the member from Simcoe-Grey when he said this is a cynical piece, because it is and it's very apparent. Secondly, he says you're not going to get rid of partisan government advertising. He's right. It's true that it's not gone; it's here with us. In the same way that you have Tory pork-barrelling, you're going to have Liberal pork-barrelling. It's just that the colour changes. Nothing changes except the colour. But in this respect, he's very right.

I suppose the member from Etobicoke-Lakeshore would argue that when the newsletter from Management Board changes from one colour and it goes to red, that isn't partisan, that's simply changing the colour. My point is this: Partisan politics comes in many ways. Sometimes it is obvious, coarse and blatantly politically bad. Sometimes it's just so subtle, ever so subtle. But it exists. The Liberal government is going to do much the same as the Tories, perhaps not as blatantly excessive and open, but it will be there.

When the member from Mississauga West, who identifies himself as a former corporate communications kind of CEO type—I worry when he stands up and says, "I was a former corporate communications director type and I think this bill is great." You understand what I'm saying? I worry. Then he proceeds to say, "This should

be called the clarity act." Oh, yeah? My point is this: Communications directors are in the business, good doctor, of doing the following: (1) packaging a message; (2) obfuscating the message; (3) manipulating the message; (4) dissembling. You follow the drift of my argument? That's what people do. That's what communications is all about and corporate communications is no different.

1630

**The Acting Speaker:** Further debate?

**Ms Caroline Di Cocco (Sarnia-Lambton):** I'm pleased to stand to speak to Bill 25. Bill 25 is in essence a strong set of rules that were not in place that have come about because of the former administration and how many times they crossed the line when it came to what was put into what they considered as government advertising.

There is a great distinction between what is partisan and what is government advertising. The former administration crossed that line over and over again, so much so that we heard the people of Ontario often tell us, "What is this stuff we're getting at home? It isn't talking to us about the services; it's promoting how good a job the Conservatives are doing in government." But it was paid for by all taxpayers in this province, and that's wrong and we're changing that. What this bill does, first of all, is that we are taking a new and better direction by introducing accountability, transparency and fiscal responsibility across the board. This is another example of that.

We also made this commitment to eliminate the waste of taxpayers' dollars. Do you know what? That's what partisan advertising has been. We've seen it. The previous government, believe it or not, had a \$10-million slush fund just for this kind of householder. That is an incredible cost. We have today announced \$191 million in long-term care. The hundreds of millions of dollars that were spent unnecessarily could have gone, over the last eight years, for thousands of nurses in our long-term care. No, it went to partisan advertising.

Bill 25 also has a capacity, has an oversight. The Office of the Provincial Auditor is going to review government advertising in advance.

The member from Trinity-Spadina is theatrical in his comments. I have to say that when there is a loss, there is a sense of denial of the loss, and then there is anger. What I hear from the opposition party is not constructive debate about this legislation; what I hear is anger. All I hear is this notion—and it's not even about holding the government to account. All they do is rant with this anger. I would like to know if the third party is going to vote against this legislation, just as the opposition will vote, because for the first time in any government there are going to be rules and standards as to what is acceptable.

All I know is this: This legislation says that the advertisement the government is going to send out to inform the public has to meet standards, and "must be a reasonable means..."

"To inform the public of current or proposed government policies, programs or services...."

"To inform the public of their rights and responsibilities...."

"To encourage or discourage specific social behaviour, in the public interest."

"To promote Ontario or any part of Ontario as a good place to live, work, invest, study or visit."

"It must include a statement that the item is paid for by the government of Ontario."

"It must not include the name, voice or image of a member of the executive council or a member of the Assembly."

I know the member from Trinity-Spadina is tremendously frustrated because they actually did not gain new seats in Ontario. He sits there in this, I would say, quasi-pathetic approach to debating legislation in a manner that is actually quite perplexing. I thought the member from Trinity-Spadina was an intelligent person, and I expect he would have at least some capacity to evaluate the need for this kind of legislation, considering what they also spoke about when the previous administration was constantly sending out partisan advertising paid for publicly. I heard him rail against that when he was in the third party and the last administration was in power. I distinctly remember him saying this had to stop.

We're putting in rules, clear, reasonable, I would say, standards of what constitutes partisan advertising, what rules have to be followed when the government sets out advertising. It is important to note that this is unique. There is no other administration in Canada that would put these kinds of constraints on itself.

I understand the role of the opposition. It's to hold the government to account. But sometimes the theatrics in this place and the quality of debate that comes from the opposition is disturbing, because the substantive aspects of debating this type of legislation—again, it surprises me, because this is an important step forward to more accountability in how government does its business.

We do bring a new era of government to Ontario. Whether the member believes this or not is irrelevant, because it is a fact. What we're going to do is bring forward these types of legislation because it's about better governance and better policies. It's about the public interest.

#### *Interjection.*

**Ms Di Cocco:** No, it's about the public interest, and that's the intent in which this is brought forward. Why would we bring forward legislation that would be restrictive when it comes to partisan advertising? It's because the public clearly said—and we know—it's wrong.

We have a role and an opportunity here to present a better view of government to the public by acting on this type of legislation and by suggesting that the people of Ontario deserve better than they received in the past. They deserve better than the misspending of taxpayers' dollars through, if you will, using public dollars as a way to promote a government to get re-elected. In 1999, if you take a look at some of the third party comments—for

instance, the National Post's former Queen's Park columnist, John Ibbitson, said in 1999: "The Tories have spent a good \$30 million or so over the past two years on advertising never seen before in this province from a government." Because, you see, there is a trust in governing. There is a trust inherent by the people who elect a government. And it's a shame that we have to actually bring this type of legislation forward, because the former administration lost the trust in how they conducted business.

Again, this acceleration of using taxpayers' dollars in this way was shameful. As I said, the people of Ontario deserve better. They sent a signal on October 2, 2003, and said, "We want better from the people who govern us. We want somebody who is going to protect taxpayers' dollars in a way that is significant." And this legislation does that. I see the member for Trinity-Spadina there writhing in agony. I don't know if he's taken drama lessons, but it appears that he has.

Anyway, I want to continue. Actually, I'm sharing my time with the member for London-Fanshawe, and I would yield the floor to the member for London-Fanshawe to continue the debate.

**1640**

**Mr Ramal:** I have the pleasure, always, to rise in this place to speak and represent the people of London-Fanshawe. Today I'm rising in support and to speak again, after we spoke about it in detail on April 26. I listened with great interest to what all people on every side of the House said about this bill, and today, also, I was listening with great interest to my colleague the member for Sarnia-Lambton, who spoke very well about this bill and explained to all members who were in opposition to this bill.

This bill is about strengthening our democracy and making the government more accountable, transparent, and fiscally responsible. That's why I'm supporting this bill. I'm continuing to support this bill to send a clear message to all the people of this province that we are working on behalf of them, to spend their hard-earned tax dollars in the right way and in the right direction.

I listened to my friend here from Trinity-Spadina, for almost 22 minutes, explain his position and why he's against this bill—actually, as a matter of fact, I don't know whether he's against it or with it. I couldn't get any sense of direction from his talk, whether he is with the bill or against the bill. Regardless, I listened to him carefully, and he went in different directions and talked about a lot of things.

I would agree with what my colleague the member for Sarnia-Lambton said about his anger. Yes, he's angry, I guess. They're angry. They're frustrated because they're not an official party. And they try their best. They canvass every day in Hamilton East. They're taking all their members, whoever they have, of the few they have in this province, to Hamilton East.

**Mr Patten:** Six members.

**Mr Ramal:** All six members, including the leader of the NDP, in Hamilton trying to win the seat in order to be an official party—

*Interjection.*

**Mr Ramal:** We're working hard to represent the people who elected us and sent us to this place.

Anyway, I wish the member for Haliburton-Victoria-Brock was here for a few minutes. I would like to answer her, because what she said—

*Interjection.*

**Mr Ramal:** I'll do it anyway. She's probably listening to me from her office, or somebody will tell her.

*Interjection.*

**Mr Ramal:** Of course. Maybe they're interested in this topic.

She spoke about advertising and why the past government was trying to spend money on advertising. I always drive on the highway from London to Toronto. I got upset when I saw a big, huge board saying, "Taxpayers at work," and underneath it, "Mike Harris," as if Mike Harris, from his own personal money, paid to construct all the highways. He forgot he was representing the province of Ontario, who was looking after this highway, not the past Premier of this province.

We don't mind at all sending a message to the people of this province to create some kind of awareness about health care, education, social programs etc. In order to create awareness, we don't mind spending money in that direction. That's exactly what the minister was talking about a few minutes ago: the householder, the newsletter on West Nile, SARS, health, nurses etc.

I would also tell the member from Trinity-Spadina that we are not going to spend money foolishly in order to promote ourselves, our Premier or our ministries; never, ever. We're not going to go down the path of the past government because we know the result. What happened to them on October 2? They're out. They're out because they mismanaged the money of this province, the taxpayers' money, the money entrusted to be spent on education, health care and social programs. Where did they spend it? Promoting themselves.

I believe the member from Simcoe-Grey was upset—because "Give me an example of where we spent the money." He forgot. They printed millions of glossy booklets or pamphlets that went to every household in this province to promote themselves. Who paid for that advertisement? Guess who paid for it? They paid for it with taxpayers' money, not the party's.

*Interjection.*

**Mr Ramal:** Yes, we got one at my house—my friend, my brother and my sister. Every household in this province got a message, and not just one, not just a householder, not just a calendar, not just an advertisement—several. Whatever they moved, they sent a glossy one. Every week we used to get one. From where? Who paid for it? The taxpayers' money.

As my colleague from Sarnia-Lambton said a few minutes ago, they put aside about \$30 million just to spend on a householder. This householder used to go with grocery advertisements and went into the garbage. What a waste of taxpayers' money. We would rather see this money spent on ODSP, Ontario Works, hospitals,

housing and poor people, vulnerable people. That's what we're trying to do.

Today we are debating a bill that is important to all of us. This bill is about commitment to this province, commitment to the people of this province. Whatever we promise, we are going to implement regardless of the deficit we inherited, which is about \$5.6 billion. Our Premier, our government, our people in this government are trying hard day and night to deliver a great budget to look after all of Ontario.

**Mr Marchese:** Have you seen it?

**Mr Ramal:** I haven't seen it but I have a sense, because I believe in the direction of this government.

I also want to tell the member from Trinity-Spadina that our people don't have to buy advertisements from TV, radio or any medium in this province. I want to give you an example. I'm a member; I'm not a minister and I'm not the Premier of this province. I've been approached by so many different media to comment about the budget. Don't you expect the media voluntarily also to go to the Premier looking to question, looking for input, looking for information for the media? So it is normal. We don't have to pay anyone. The media are coming to us to see what we are doing because everybody in this province is interested in learning about the positive change our government is trying to direct in this province.

**Mr Peter Fonseca (Mississauga East):** They can come here, not Magna.

**Mr Ramal:** Of course this budget is going to be delivered from this place, as we used to do it, not from a private place owned by a friend of the ex-Premier. We believe that the people's assets and the government's assets are supposed to be debated here. We're supposed to deliver the budget here. We should talk to the media and everything from this place because this is what we're elected for and that's why we're here. We were sent on October 2 to sit in this place to defend the people's positions, the people's rights and the people's interests. That's why we're here.

So, Mr Speaker, as I said to you, I always have the honour and the privilege to stand up in this place and defend all of these bills that are trying to enhance this province, enhance democracy and trying to at least use our taxpayers' dollars in the right way, not spending foolishly, not in a partisan way—of course not a partisan way, because we believe in being non-partisan. Since we are elected to be here, we're non-partisan. We're not like some other people, just to go left and right in order to spend money—

**Mr Marchese:** The Liberals don't go anywhere, not to the left, not to the right.

1650

**Mr Ramal:** No. We have our direction. We found our direction, from day one until now, and the people of this province will see it. We're here to deliver service; we're not here just to continue our cynicism. We're not here to mismanage the money of this province. We are on the right track, and I believe Tuesday of next week, May 18,

is going to be a great day for all the people of this province. They are going to hear good news, and the budget is going to be delivered from this place. We're going to hear all of these comments, but we're confident we are going in the right direction—

**The Acting Speaker:** Thank you very much for your comments. We have time for questions and comments now.

**Mr Garfield Dunlop (Simcoe North):** I'm really pleased to be able to make a few comments on the speech from the member for London-Fanshawe.

It's interesting. You talked about thinking you're on the right track. We're going to see on Thursday if you're on the right track or not—in Hamilton East. That's the riding where there's a by-election coming up, and we'll see if you're on the right track. We'll see the people of Hamilton East decide whether you're on the right track or not.

I think that will decide the direction in which the government is going. I understand the Premier is afraid to go into that riding because he knows he's going to lose it. It's interesting that these people actually think they're on the right track.

**Mr Lou Rinaldi (Northumberland):** What are you talking about, Garfield?

**Mr Dunlop:** He said the government was on the right track, and I'm telling you the voters of Hamilton East will decide. Our party will have a difficult time with that riding, because we haven't had that seat for, like, 75 years. We've got a great candidate down there. I understand all the parties have great candidates. But if the Liberals are on the right track, they'll win by the same percentage of votes that they won by in October. And we'll see. That will be a very special day in this House if you actually win that, and win it by the same percentage of seats. Then you'll know the people have confidence in you, in the fact that you're on the right track—because that's what he kept referring to, "the right track."

I look forward to Thursday. I look forward to your coming back here next Monday and explaining whether you were on the right track or not, because when the Premier is afraid to go into the riding—he's not afraid to go to Washington, but he's afraid to go to Hamilton—we've got a real problem in this province. And we'll see. We'll see on Thursday of this week. Let's do some hits next week and we'll comment on that next Monday, okay?

**Mr Marchese:** I'll tell you, I'm a bit sad with the comments the member from Sarnia-Lambton made. We used to be comrades when we were in opposition to the Conservative government. Why, she and Madame Pupatello—mon amie Pupatello—Monsieur Duncan, Monsieur Bradley, my God, we were this close. Like comrades, seriously.

**Hon Ms Pupatello:** No, we were never comrades.

**Mr Marchese:** Never comrades? Sandra is disputing the fact that we were comrades-in-arms together. You will recall, Speaker, that Sandra Pupatello, the now minister of many things, was in the front seat, right there;

Di Cocco of course was back here. She would remember how she used to rant, rage, rave and scream against the Conservative government. I guess she's forgotten about that. I don't know. I wanted to remind her that we were close once. Now you are in government, and I guess things change.

She makes the observation that New Democrats are angry for some reason that's beyond her comprehension. Can I offer a suggestion to you, member Di Cocco from Sarnia-Lambton? Some of the anger is reflected in the promises you make, which you then break. When you make the argument that this will get rid of the political partisan advertising the Tories did, and you claim to believe it, with all sincerity, people like me get a bit annoyed at that.

So I beg your pardon if you experience some anger from people like me when they don't believe you, and that government partisanship will not disappear, that it will be Liberal partisanship advertising that will take place and that that's all we're going to get. Please, pardon me, madame.

**Mr Arthurs:** I enjoyed the debate, particularly from the members on the government side from Sarnia-Lambton and London-Fanshawe, as well as the comments from the other side and the responses. I just want to draw attention for a moment or so to a third-party analysis, in effect, as opposed to the debate in the House.

These are comments by Queen's University's Jonathan Rose, as reported in the Toronto Star. Mr Rose specializes in political communications, so his area of knowledge and expertise rests with the matters we're debating at this point in time. He says that "the Liberals are to be applauded for finally taking action on government advertising." He speaks very highly of what we're doing in this Legislature. I think it's appropriate that the Chair of Management Board, Mr Phillips, with his long experience here, is responsible for the crafting and bringing forward of this piece of legislation. But to go on, Mr Rose indicates that he has "argued for a long time that government advertising needs to be reviewed by some other appropriate agency or body."

Thus the inclusion of the Provincial Auditor, and ideally subject to other legislation, the Auditor General will take responsibility for that through the establishment of an Advertising Commissioner. Thus the sense of partisanship will be removed. The third party, the independent auditor, the Auditor General, through an Advertising Commissioner, will take responsibility for reviewing materials before they go to publication, before they're on TV, before they're in the newspapers or in magazines, to ensure they're not promoting the government of the day, to make sure they're not negatively commenting on others in the community.

The approach that's being taken is a responsible one. It's clearly recognized by third-party advocates of responsible government advertising.

**Mr Wilson:** Although I'll have an opportunity in a few minutes to speak at greater length, I want to challenge the government members—and there's a two-

minute response coming up—to name one piece of partisan advertising that had our logo or that wasn't necessary for West Nile, SARS, an education update, a health care piece.

**Hon Ms Pupatello:** The health care piece, the education piece.

**Mr Wilson:** Well, Blabbermouth, I say to the Deputy Premier, send it over. I've spent all morning looking at our advertising and I don't see anything partisan about it at all. I don't see it as any different than any other government. I remind you there is a truth-in-advertising body out there that reviewed all the ads we put out. There was also an advertising agency in the government of Ontario that reviewed all the ads. I think this is a cynical attempt, once again, to try to create an issue where an issue is not warranted.

You've broken every rule of the standards you've set so far in this legislation. You can drive, as someone said, a Mack truck through this legislation in terms of regulations that are to come. You're still continuing the US advertising. You're still continuing to advertise on television. You're still continuing to send out householders. Every time I drive by a riding office, it's still in big Liberal red, as ours are in blue.

I have no idea what in the world you're doing other than another cynical attempt to get the taxpayers off your true agenda, which is to tax and spend the heck out of them—it's another \$3 billion you've spent since coming to office—to try to obfuscate public debate on more important matters, like I'm going to bring up in a few minutes: the medical review committee and audits there that you promised to freeze. You advertised that, so it's pertinent to this bill.

The township of Springwater, writing me about community halls: You advertised with three-quarter-page ads that have run for three months in every local newspaper, every multicultural newspaper in this province. You're doing nothing to help the community halls except spending tens of millions of dollars on advertising about drinking water regulation 170. So in the two minutes that come up, I'd like to see exactly the evidence you have, to say that we did partisan advertising.

1700

**The Acting Speaker:** The member for Sarnia-Lambton has two minutes to reply.

**Ms Di Cocco:** I thank all the members who had their two-minute questions and statements: the members from Simcoe North, Trinity-Spadina, Uxbridge and Simcoe-Grey.

I'm going to remind the people at home that this bill on curbing advertising includes in it what standards have to be followed, so that the Auditor General can take a look at them and decide whether the government is following the rules.

It says that the reason government uses advertising "must be a reasonable means...."

"To inform the public of current or proposed government policies, programs or services...."

"To inform the public of their rights and responsibilities...."

"To encourage or discourage specific social behaviour, in the public interest."

"To promote Ontario or any part of Ontario as a good place to live, work, invest, study or visit."

Why did we have to actually articulate and put these measures in place? Because we knew the unprecedented misuse of taxpayers' dollars by the previous administration required some type of standard to be put in place.

Jonathan Rose, a Queen's University political scientist, said, "What is exceptional is the scope and the amount and the issues that it is advertising," and he said that the Tories' use of advertising that blurred the line between partisanship and public information was unprecedented in Ontario.

**The Acting Speaker:** Further debate?

**Mr Wilson:** I appreciate having a few minutes to comment on Bill 25, the Government Advertising Act, 2003. As I said in some of the two-minute hits previously today, I really don't know what is the problem. You may not like the ads, you may not have liked the fact that the previous government informed the public of Ontario—you would say, in an unprecedented way; we would say, in a very straightforward, truthful and honest way.

I want to review—

**Hon Ms Pupatello:** Oh, Jim.

**Interjection:** Did you swear?

**Mr Wilson:** Did you swear at us?

**Hon Ms Pupatello:** I said, "Oh, Jim."

**Mr Wilson:** I don't know. I think "Jim" had four letters in it.

I've done an extensive review this morning on our advertising: We had SARS; we had 9/11; we had West Nile; we had unprecedented electricity changes; we had health care restructuring during my time as health minister; we started ON magazine, which from time to time had the Premier's picture in it or a minister's picture in it—maybe that's what they're offended by. But most of the time those publications, in fact over 95% of them, had average Ontarians in them with quotes from average Ontarians and pictures of average Ontarians from all the multicultural sectors that make up this great province.

I'm still waiting, and you could probably change my mind on this bill if you showed me one example, in the eight and a half years when I was in cabinet, that was truly a partisan advertisement. I don't remember any householders going out with the PC logo. I don't remember anything that went out the door that wasn't reviewed by committees. I don't know what you're doing.

Somebody mentioned the US TV ads where the Premier would say Ontario is open for business. We went through the most serious economic crisis that was caused by a disease outbreak in this province. You've had to pump money into Toronto tourism. You've had to pump money since coming into office into re-promoting this province. This bill doesn't deal with those US TV ads. They're exempt. You must have seen some value in those, and yet member after member gets up and says the

reason we need this bill is because Harris and Eves, mostly Harris, were on the TV screens on Air Canada trips and in planes, where they do advertising to executives who fly on business, and on US TV and radio stations.

You review, in good conscience, the content of those ads. They were necessary for economic development and jobs in this province. I make no apology for them, and you should stop making a partisan issue out of them, because that's what you're doing. They weren't partisan ads; they were informing the people of Ontario.

I personally published four publications on electricity reform in this province. By the way, you're following the same plan. You've just repackaged, under Dwight Duncan, a plan that you certainly thought was awful in opposition, and now you're welcoming the private sector. I heard comments today about the Albany Club and Tories. Where did Dwight Duncan make his announcement about electricity reform just a few weeks ago? At an exclusive Bay Street club; he never did make a statement about it in this House.

The fact of the matter is, we sent out householders, updates on education. As health minister, I introduced Telehealth, and that required fridge magnets. I'm glad I sent out fridge magnets. You might not like them, but people needed to know about Telehealth. I go into all kinds of homes, including my own family's, where a Telehealth fridge magnet is on the refrigerator. I've run into all kinds of people who are darned glad that 24-hour service is available and they don't have to fumble through the blue pages of the phone book, which are a nightmare for anybody to try to get through, particularly a senior citizen or even me since my eyesight is going. Often you can't figure out from the telephone book which ministry you're supposed to call for what.

So a little contest here: Find me a road sign, find me a magazine, find me anything that was partisan in nature that would justify using this Legislature's time on such a meaningless and cynical piece of legislation.

I had faxed to me today from a constituent—and it's not a prop—two publications, identical in content, word for word except for the front page, from the government of Ontario telling you how to protect your identification and what to do if you lose your birth certificate, your wallet, your driver's licence and all the important information. The front page was changed from blue—this is ours—to red—this is yours. The inside is exactly the same. In your list of the half billion dollars you say we spent on government advertising, you include publications like this that are in our constituency offices. You include every publication ever published by the government of Ontario, including Topical, JOBmart and Web sites that give valuable information.

I think you're full of baloney, and the fact of the matter is, you should be ashamed to have made a partisan issue of this. We all put up with it in our ridings during the all-candidates' meetings. It was an issue you created. It was an issue the media went along with you on. But the fact of the matter is, you have no evidence, you have no

ability to say with a straight face to the people of Ontario that we did partisan government advertising.

We met an unprecedented period in history and an unprecedented challenge with respect to having to communicate with the people of Ontario. Let's review our TV ads. West Nile: Could one of you right now put up your hand if you were against our West Nile TV ads? Were you against our SARS ads telling people how to protect themselves, who to contact if they were worried, the symptoms of SARS? I can't think of more valuable information. Were you opposed to having the Premier on US television, to reach our neighbouring states with which we directly compete for economic prosperity and jobs? Were you opposed to that? I see a lot of heads hanging down. Put your hands up, folks; you did during all-candidates' meetings.

You blatantly told one thing to the people of Ontario—they don't know; they see the odd ad and say, "It must be partisan because the Liberals said it was partisan and they look like they're going to win the election, so maybe they're right." Well, you were wrong, and you should apologize to the people of Ontario, because you will find yourselves perhaps in the same situation where you have to communicate.

You're already communicating, as I said earlier, the changes to the drinking water regulations. You took out three quarter-page ads. They didn't have a minister's picture; they had a picture of a faucet dripping and, I thought, very useful information.

If we did that, you would include that in our so-called half billion dollars worth of advertising. I don't think you should. It's not partisan. In fact, every one of our ads only had the Ontario government logo in it, and when the auditor pointed out that perhaps we should make sure people know this ad is not partisan, that it comes from the province of Ontario, we made sure there were disclaimers on all our ads to say, "This is brought to you by the province of Ontario as an educational update for you."

You have not changed how you do minister's announcements. You've changed the wallpaper in the back from Tory blue and white to red and white. So every time I see a minister make an announcement, I see what you would call partisan political advertising. The taxpayers paid for that backdrop. Sometimes those announcements cost thousands of dollars to set up the photo op, and you're not doing anything different—nothing different.

#### 1710

So I think you're bold as brats, as my mother would call Liberals. Bold as brats. Cut your throat while you're smiling at us. That's what you're doing to us. It's a disgrace that you would make an issue out of an issue that didn't exist.

Road signs—I can tell you the frustration of being a northern minister where 90% of the money for the last 16 years that's gone into the upkeep, maintenance and expansion of the TransCanada Highway has been Ontario dollars. The TransCanada Highway is vital to this prov-

ince and this country. As I was growing up, I always thought there was one bloody thing the federal government could do and that was look after one highway that went from coast to coast. They don't do that. They don't give us any money. Over 90%—it's closer to 94%—of the money spent in the last 14 to 16 years on that highway, we've had to spend. What do the feds do before an election? They used to stick up these huge arterial signs, and they'd pave maybe two kilometres outside of Sudbury or two kilometres outside of Thunder Bay, and then they'd put a sign saying, "This road was brought to you by the federal Liberal government."

Now maybe this is a bit partisan, and I don't think so, but we decided that we would put up a blue sign because the Liberals had red signs under David Peterson—I was an assistant here during those years—and the NDP had green signs under Bob Rae. We thought we'd put up a blue sign, but we didn't do it till your federal Liberal cousins did it first. We didn't do it until the Macdonald-Cartier Freeway between here and Hamilton, where they paved six kilometres and we had to pave over 102 kilometres, and they put up an enormous sign so people driving by got the impression that the feds were doing the whole highway. After the expansion of Highway 11 in the north and the unprecedented \$1 billion we spent on highways in northern Ontario, the feds would come along and put a sign up. I saw it myself. I drove around the north for four years as minister and I can tell you we didn't go first on that. They did it first, and it was misleading the people of Ontario. The federal government was misleading the people of Ontario in that they'd give us a pittance amount of money and they'd take credit for the whole road. I make no bones about the fact that we did the right thing in making sure the people of Ontario knew that the road was paid for by their Ontario tax dollars, that it was their money from the province of Ontario being used for good purposes—

**Mr Rinaldi:** With the Premier's name on it.

**Mr Wilson:** With the Premier's name on it. He is the Premier of the province.

The fact of the matter is, the Premiers of this country, of all political stripes, banded together to do the most blatant advertising—and there's no way this bill stops it—that could be considered partisan in nature ever done in the history of this country. Premiers of all stripes came together to do those TV ads against the federal government, pointing out that they were paying only 14 cents to 16 cents on every dollar with respect to health care. So is every Premier in Canada, including Liberal Premiers and NDP Premiers, wrong to tell the people, in this case a public message, that the federal government needs to pay its fair share of medicare?

Since I mentioned regulation 170/03 and the advertising you did about the drinking water regulations, did you know that the money they spent on advertising in our community newspapers, something like \$3.5 million, could have gone a long way to helping every one of these community halls, the six community halls in Clearview township, which need anywhere from \$20,000 to \$60,000

to fix? Three million dollars solves a lot of problems in a riding like Simcoe-Grey. You could have spent that there, rather than telling—ordering—municipalities, through advertising, to get up with the regulations and put these new water systems in place and then not, after proclaiming the regulation—you keep saying, "We passed the regulation." You're wrong about that. Again, you're not being open with the public when you say that. I think the greatest scam you pulled off in this area is that you actually proclaimed reg 170 and then didn't pay for it. The reason it wasn't proclaimed, folks, was cabinet was still having the debate prior to the election call on how much money it would cost to update all these community halls.

Did you know that the money required in Clearview township to update the community halls to make sure they meet the drinking water regulations has meant an automatic 3% increase in municipal taxes? That's before the school board and everybody else gets their hands into your pockets for your municipal tax bill this year. That's a direct result of you guys advertising, rather than doing something about it.

All of our advertising, by the way, was because we had done something. We had done something and we wanted to tell the people of Ontario something concrete: we built a road, developed criteria around SARS or provided 1-800 numbers so people could have Telehealth 24 hours a day.

The fact of the matter is, John Brown, who is the mayor of the township of Springwater, wrote me a wonderful letter dated April 29. It says, "Re Drinking Water Regulations—Community Halls.

"At their meeting of May 3, 2004, Springwater township council received a copy of your letter"—sorry, this is actually a letter to John Gerretsen, MPP, Minister of Municipal Affairs and Housing, who has copied me on it. The township "received a copy of your letter dated April 16, 2004, to Simcoe-Grey MPP Jim Wilson with regard to requests for financial support" for "drinking water upgrades to community halls.

"Springwater township council would like to express its extreme disappointment in your decision to pass this matter to the Minister of the Environment. Our community halls need your support as our minister. These municipal facilities are run solely by volunteers and are operating on a user-pay basis with very small annual budgets. As these halls already rely on annual fund-raising, the cost of the water system upgrades for these rural community centres exceeds their financial capabilities.

"It is Springwater township council's hope that you will reconsider your decision and meet with MPP Jim Wilson to discuss funding for municipalities."

Folks, in 14 years here I've never, ever sent a letter saying I couldn't meet with a member who sits across the way. I have never actually heard of someone being so stupid. All Gerretsen had to do was come over here and meet with me for five minutes. But, no, he goes up through the seven or nine levels of signing authority in

the ministry and he makes a big deal of sending me a letter saying, "I can't possibly find two minutes to talk to you about your community halls." If that's not dodo brains running the province, I don't know who the heck is. I mean, that's just beyond belief. I used to be more polite in this place, but you guys are really getting under my skin—I mean, to sit through all-candidates meetings, to spew out the 231 promises that you guys came up with. You had to know, if you know anything about how finances work, how the province works or how life works, you couldn't possibly keep most of those promises. I have a degree in theology. We call that some very strange things.

I'm not going to judge your souls, but I hope you can face your gods in the end because most of us on this side do what's been traditional in the province and promise to do a good job. We don't promise that autistic children over the age of six are going to get probably \$900 million to \$1 billion. I was in cabinet when we looked at that decision and we said we'd like their votes too, their parents' and friends' and families' and loved ones' votes, but the fact of the matter is that we can't go out in good conscience and promise things like that.

Back to the bill; talk about advertising. Before the election and during the election you said you would bring in a moratorium on audits by the medical review committee of the College of Physicians and Surgeons. You made a big issue of it. You got all the doctors in the province stirred up. It does relate to this bill: credibility, promises kept and promises not kept.

**Hon Ms Pupatello:** You were probably the minister when you changed it.

**Mr Wilson:** I don't remember changing a thing with the MRC.

**Hon Ms Pupatello:** You caused so much trouble in health care—

**Mr Wilson:** That's why there is record building in health care today to the point where we can't even find contractors.

*Interjection.*

**Mr Wilson:** The fact of the matter is, Madame Deputy Premier, you're full of crap. I come here and still put up with the fact that they say we've closed 34 hospitals. Name them. I can only think of two: Pembroke and Wellesley. In Pembroke there were two within spitting distance of each other and they came together in a corporate amalgamation.

**Hon Ms Pupatello:** You closed two in my riding.

**Mr Wilson:** I did not. You're crazy. You have more emergency room capacity today, Mrs Pupatello, than you had before I was health minister, and you should be sending me thank-you notes.

*Interjection.*

**The Acting Speaker:** Would the member please take his seat. The level of debate is on a downward slope. I would ask all members to respect the House with their comments. I'll return again to the member for Simcoe-Grey.

**Mr Wilson:** The most shameful day after the previous government, before we got in, wouldn't fund your brand new cancer care centre—and by the way, it wasn't on the capital list when I came into office. I saw the statistics in Windsor and I saw that cancer patients in Windsor needed help. You showed up on the day of my announcement and you embarrassed human beings. You slammed me for bringing in 100-and-some million dollars for a new cancer centre. You slammed me and you called me a liar on the radio station that morning.

**The Acting Speaker:** Could the member from Simcoe-Grey please take his seat. I would ask the member for Simcoe-Grey to keep his comments temperate. I would ask the Minister of Community and Social Services to recognize that the member for Simcoe-Grey has the floor.

**Hon Ms Pupatello:** Absolutely; he sure does. He's got the whole floor.

**The Acting Speaker:** Order. I'll return to the member for Simcoe-Grey.

1720

**Mr Wilson:** That really hurt, honest to God. I had to answer a radio station who said, "Pupatello says you're a liar." I gave the lady an answer—I have the transcript, by the way—and she said, "Oh, Sandra tells us you Tories always lie." She hung up on an open-line show and she was the moderator.

I brought in \$140 million and you did nothing but criticize me. Now you're bringing in a bogus bill on advertising that creates a non-issue in Ontario when we've got serious, serious issues to deal with. You don't know what you're doing. You don't intend to live up to your promises. You're rude—

*Interjection.*

**The Acting Speaker:** I'm going to try this again. Would the member for Simcoe-Grey please take his seat.

The member for Simcoe-Grey has a few seconds left in his remarks. I would ask him once again to keep his comments temperate. I would ask the Minister of Community and Social Services not to constantly heckle the member for Simcoe-Grey.

I will now recognize the member for Simcoe-Grey.

**Mr Wilson:** OK, Mr Speaker, I will summarize. But it really does get under my skin.

Again I remind the public we had SARS, 9/11 and West Nile. We had major changes in health care, education and electricity. I've yet to see one piece of evidence from the government that showed a partisan political ad.

I don't think it's wrong of you, of us, of previous governments or of all the Premiers of Canada to put their pictures in a piece of literature that's going door to door. We do it as MPPs. How the heck would anyone on the street know who you are if you didn't send them a picture in your householder once in a while? I suppose you're going to ban that soon. If you do that, it's the end of democracy and the democratic reform that you said you were on. It's the end of the democratic process as we

know it because you're just going to keep people in the dark.

**The Acting Speaker:** Questions and comments? The member for Timmins-James Bay.

**Hon Ms Pupatello:** What could you say to respond to that?

**Mr Bisson:** That's great. She said, "What can I say after that?" I was going to say, does the member have any problems expressing his true feelings? That's my first question.

I understand a part of the comments that were made by my friend from the Conservative Party. The issue is, if you want to develop policy that says governments don't have the ability to do what they call partisan political advertising, I think you need to take a look at the whole issue of how we spend taxpayers' money, not only from government but overall as a policy of how you communicate with people.

The member raises, quite rightly, at the end of his comments that at one time in this Legislature individual members of the assembly, prior to the Tories' taking this away, had the right to communicate with their constituents by way of what we called householders. You were allowed to send three householders per year across the riding and you were allowed to do what we used to call rolling eights, the ability to communicate directly by way of franking. Members of the federal House have unlimited mailing privileges and have the ability to do householders.

To me, the broader question is that it's not so much what the government can advertise and what political parties can advertise. There are ways of doing that. Why don't the Liberals, the NDP and Conservatives pay for their own advertising in that way? But I think we, as members, have a real need to communicate directly with our constituents.

One of the things I would welcome is, if the government wants to get into debate about how we advertise overall, to put that into the mix and say, should individual members of the assembly have the right to communicate with their constituents with regard to the work he or she is doing here at the assembly?

If the bill itself, as I said before, really did what the government purports it's going to do, it would be a good thing, I guess, but you'd have to look at the other, broader issues.

The second issue is, I don't really feel that it actually bans advertising, the way the government puts it forward.

**Hon Ms Pupatello:** I'm very happy to be here to add my two cents in two minutes, because what this member opposite wants to talk about and doesn't want to address is the number of wasted tax dollars over eight years that I had the honour of representing Windsor West, the millions of dollars that we wasted in advertising by that last government. In the same breath, this same government eight years ago closed two hospitals in my riding, closed two emergency rooms. Do you know what? They closed those emergency rooms before we had any capacity in our community to deal with real people.

Those were the days in Windsor when those people went down gurneys, down the ramps of the existing emergency rooms because there was no room for those ambulances to pull up. That's what happened on Ouellette Avenue, down Windsor's main street.

No one is going to stand in the House today and try to rewrite history about what a debacle that health services commission report was and what effect it had on health care in my community. No one will be in this House rewriting history. It was an unmitigated disaster and everyone who was a leader in health care knew it. Duncan Sinclair, whom that government in those years appointed, said he would resign when community services weren't delivered.

What is today's discussion about? It's about wasted government money of the past. That will not happen again under a Dalton McGuinty government. It's about millions of dollars that we will put into hospital services, into the long-term-care sector like we saw today, where we will have standards, where our elderly will be kept properly. It is about pouring money into a health system and an education system so that we will make a difference in the lives of Ontarians, not wasting taxpayers' dollars on purely partisan ads. That is what this government is about, and that is why I am proud, finally, to be on this side of the House.

**Mr Dunlop:** I'd like to make a few comments on the speech of my colleague from Simcoe-Grey a few minutes ago. First of all, I was interested today to note that the Minister of Health made this dramatic announcement on what he was going to do for the seniors of Ontario. I would like to compare it to what Mr Wilson did.

The fact of the matter is that the previous governments of the NDP and the Liberals—we call it the lost decade—never opened one new long-term-care bed in the province; not one bed. But when Jim Wilson, the first Minister of Health under Mike Harris, came along, that was the beginning of 20,000 new long-term-care beds in the province, and she has the gall to sit over there and yap away about nothing.

*Interjection.*

**Mr Dunlop:** You don't have a clue what you're talking about. Your Minister of Health stood there today thinking he was actually doing something for senior citizens. After the lost decade—

*Interjection.*

**Mr Dunlop:** You didn't open one new long-term-care bed.

**The Acting Speaker:** Order. I would ask the Minister of Community and Social Services again to respect the other members who have the floor. Member for Simcoe North.

**Mr Dunlop:** Thank you very much, Mr Speaker. It's disappointing to hear those pathetic comments coming out of her yap, but I'm going to tell you—

**The Acting Speaker:** Member for Simcoe North, I would ask you to refrain from those intemperate comments.

**Mr Dunlop:** I apologize for saying that. It's difficult to listen to her talking here today, heckling away.

Let me tell you what else: When Jim Wilson became the Minister of Health, the health care budget was \$17.8 billion in Ontario, and we had 1.2 million people on welfare at that point. We increased health care funding to \$28.5 billion. That's the base they have to work with today, and they've got 600,000 fewer people on welfare. That's why she's not getting many questions today, because we corrected most of the welfare issues. She's sitting over there thinking she's some kind of a hero on welfare and she's done nothing. We—

**The Acting Speaker:** Thank you. Take your seat. Questions and comments?

**Mr Marchese:** I just want to say that I am in solidarity with the member for Simcoe-Grey when he speaks about this as a cynical political piece and that partisan political advertising, government advertising, will not disappear.

I understand that Ms Pupatello is a bit upset. We used to be comrades once. I know she's in government now and doesn't want to relate to the opposition parties in any way. When you're in government, you're a totally different kind of entity and you forget what you did in opposition. Now it's a totally different story.

I've got to say that I have very little faith in this government. When you consider all the broken promises they made, it's so hard. You recall the cap on hydro that they were going to impose until 2006. They get elected and that hydro cap is just gone. You remember the Minister of Education saying, "We've got a moratorium on school closures," and then a couple of weeks later, 44 schools are closing. You remember that the Oak Ridges moraine, they were going to shut her down, 6,600 units would not be built if they should be elected, and then they get elected and they say, "Oh my God, you know, it'll not be 6,600 that will be built, there will be 6,000 built, so 600, give or take—but it's better than what the Tories were getting." That's the way your Liberal buddies were discussing it.

You see, you lose faith. You get tired. You get tired of the political stuff. When they say they're going to get rid of political partisanship in advertising, does anybody really—do you guys believe it, you staffers? Do you guys really believe that? Of course, you're going to say "Yeah, yeah." It's not going to happen. It's all a political game. That's what people like me get upset about.

1730

**The Acting Speaker:** The member for Simcoe-Grey has two minutes to reply.

**Mr Wilson:** I want to thank those colleagues that supported my remarks and those colleagues that were agin me. But that's democracy and I appreciate it.

I will say to the member from Windsor West, though, that your credibility on this so-called partisan advertising bill—which, by the way, doesn't ban anything, it just allows the auditor to put a little section in his annual report about whether they were good little girls and boys about advertising in the previous 12 months. There are no

fines. There are no arrests going to be made, like Chuck Guité. Nothing like that will happen. And your messages to the people of Ontario will be about as partisan as ours, which weren't partisan at all. I never saw any logos. Sometimes there'd be a picture of a minister, usually with a community group or citizen. The fact of the matter is, you won't do anything different. You'll pass this thing. It's a cynical attempt to try and fool the people of Ontario.

This just in: The major television networks are rejecting a request from Premier Dalton McGuinty's office for free air time in advance of next week's Ontario budget. So while you tried to use stations like the CBC, which are taxpayer funded, for your message, you don't see that as partisan political advertising. You didn't ask for any free time for the opposition parties. I worked in Ottawa as a chief of staff, and in Washington, and I can tell you we always asked for equal time for the opposition parties; in fact, it's a law in the United States. You don't bother to do that, but you want to use the CBC and other taxpayer-funded stations like TVO to put out your message.

But you have this cynical piece of legislation. You should take this legislation out. You should shove it as far into file 13 as you can and you should stop telling the people of Ontario that this is an issue, when it isn't.

Secondly, I want to say with respect to the comments from the member for Windsor West that every day she was in this House she'd say we cut health care. Yet at the Empire Club two weeks ago, the Premier was saying he can't keep up with the Tories' annual increases of over 8%. He can't keep up with all the money we put into health care each and every year. Doesn't that tell you something about your credibility about health care cuts and your credibility about this piece of legislation?

**The Acting Speaker:** Further debate?

**Mrs Donna H. Cansfield (Etobicoke Centre):** I'm delighted to be able to rise today to speak about Bill 25, a bill that I believe is going to be very welcome to Ontario taxpayers, who have quite literally seen and heard their tax dollars going down the drain every time a partisan advertisement or commercial was published by the government in power.

It's fascinating to listen to the member from Simcoe-Grey, who said that he really didn't see anything partisan about the advertising the Tory government did. Well, of course not. He did it. I mean, why would he think it was partisan if he did it himself?

But interestingly enough, although he may not have felt that it was partisan, the National Post certainly did, and may I quote:

"The Tories have spent a good \$30 million or so over the past two years on advertising never seen before in this province from a government—direct, unambiguous partisan advertising, some of it bordering on attack ads, aimed at discrediting anyone who questions Conservative policy, paid for, not by the Progressive Conservative Party of Ontario, but by the government of Ontario...."

"Starting in 1997 but accelerating rapidly in the past five months, the Conservatives have taken to the air-

waves with ads of unprecedented partisanship. There have been education ads attacking teachers for not working hard enough, ads celebrating workfare, ads defending hospital closures.

"Each campaign cost millions, more than even the cash-laden Progressive Conservative Party can afford. So the Tories simply stuck a trillium at the end, announced the ad was 'a message from the government of Ontario,' and took the money from petty cash."

And that's the National Post.

I think the question that needs to be asked is whether it's the ethics and principles of using taxpayers' money to boast about yourself or the ethics and principles of using taxpayers' dollars to communicate about the government and what the government is doing. If the idea is to make an impression and to use those monies in a partisan way, then I think it's fundamentally wrong. If the idea is to communicate what the government is doing, then it is correct. That is why the auditor will make that decision.

I would suspect that today the people are not that gullible. The fact that partisan advertising has occurred in the past and to suggest that people just accept this is unacceptable. Most of the people that I know, when they saw the ads, simply would turn and say, "Yet again, another Tory ad"—an ad attacking the teachers, an ad boasting about themselves, an ad telling us how great they were. If you really wanted to touch the parents in a classroom about what their child was doing, you would engage a teacher, someone who knew and understood the testing process; certainly not a politician, for most of them do not understand that process.

I would also think that if partisan advertising did work, the Tory government would still be here. Maybe Mr Eves would be on this side of the House, along with Mr Harris. But it didn't work. I think that's partially due to the fact that people are not as gullible as folks would have you think in the past.

So partisan advertising might make the ruling party feel good about themselves, but I do believe that it really alienates and irritates taxpayers, who are experienced and wise enough to recognize that partisan advertising, and to recognize what it's for and what it's all about. In essence, it's a blatant waste of money. This money could be going for so many more things that Ontarians need.

I think about the times in the school board when the children didn't have books, or the fact that in this city alone over 66,000 children a day require some form of nutrition, and not all of them receive that nutrition. I think of the fact that we closed community schools when they could have been kept open, and we closed education centres right across this province for children who really could benefit and experience from those education centres.

We're talking about hundreds of millions of dollars that were spent to make an impression or to attack people, not really to talk about what was happening in the government, because if they did that, it would mean they'd have to have told the truth. The truth would have been that there were not the books in the schools, that the

community schools were closed, that the playgrounds were destroyed, and that the education centres were closed.

However, there's a lot of blame to go around. In my research, it seems that every government everywhere has succumbed to the temptation to use advertising to blow their horns. We've heard these debates in the Legislatures of British Columbia, Manitoba, and other provinces. We often hear it from our neighbours to the south, where partisan advertising, to say the least, is horrific, much less horrendous. I found speeches made in Hong Kong that sound similar in many respects to the debates here in this House.

I'd also like to mention that I'm going share my time with the member for Peterborough.

It seems that this is an issue in all sorts of places, not just in Ontario, but we are going resolve this through Bill 25. We all know now, from the figures of the government of Ontario advertising agency of record, the AOR, the performance report shows that the provincial government's spending on advertising reached a historic high in Ontario by the previous government. From 1995 to 2000, the cost of government advertising was over \$234.5 million—the most spent by any government in the history of Ontario. That doesn't even account for what was spent between the years 2000 to 2003.

This was a time when so many parts of Ontario, and Ontarians, were feeling the crunch in terms of what they needed in their health care, in their education, with their seniors and long-term care. Yet we were able to spend that money, not promoting but attacking people. It just seems so fundamentally wrong and, actually, quite immoral. We could have built some hospitals and some schools with that money. We could have taken a portion of that advertising and put it into those books that we knew were desperately needed.

**1740**

I know that Premier McGuinty has been trying since the 1990s to halt this waste with Bill 25, and now his efforts are more important than ever because of the deficit we face. We now need to spend our money, and we need to spend it wisely. I hear that consistently from the taxpayers I represent in Etobicoke Centre. They say to me: "We understand you have to make the decisions you have to make. We understand that we need taxes; they're part of the structure of Ontario. But what we ask is that you spend your money and spend it well, so we can monitor and assess, and we know what's happening to our dollars."

As both Mr McGuinty and Mr Phillips have said repeatedly, when tax dollars are spent on self-serving advertising, it does, in fact, come out of education, health care and the environment, and quite frankly all other public services. Advertising and communications in general areas must be patrolled carefully.

If I have any qualm about this bill, it really is the chore we're handing off to the Provincial Auditor. It's not easy to patrol and control the various ways in which advertising can be used in partisan or non-partisan ways.

I would strongly recommend that the auditor be reassured he's going to have sufficient support to do this job, because it's going to be particularly difficult.

We know you can use lots of tricks, and lots of them have been by all parties for many years. Again, I would suggest that today people in Ontario are a little wiser, and none of this will work. They're either too sharp today or they're just a little bit too jaded. They've been there, done that and are saying, "We've had enough of this. If you're going to do advertising, then make it legitimate, make it about the issues that face Ontarians and give us the straight goods. Don't mask it with a politician at the top of the ad going on, doing something on behalf of Ontarians." Actually, if you look at the bill, it specifically states in its standards that a member of the assembly will not be a part of that advertising.

The Provincial Auditor must become expert in determining what advertising is partisan and what is not. We can't afford these long delays when necessary communication must take place, and so the study that's done by the auditor is a critical issue. If we had an emergency, for example, we must be able to ensure that emergency communications can get out to the public in a timely way and are not going to be hamstrung by the fact that the auditor has to review. So there are obviously some issues within this bill that have to be identified and worked on in terms of those standards.

I do believe, however, that our government is up to the job of making the role of the auditor a little bit easier, simply because I'm hoping that all of us will observe the letter of the law and the spirit of the bill.

Finally, I would like to say that we should see Bill 25 as part of a major effort by this government to open the doors of the government to the scrutiny of the public. As Finance Minister Greg Sorbara said when he spoke about Bill 18, such actions by this government "make the entire public sector more transparent and accountable to the people of Ontario," and Bill 25 is just another tool to make the public aware of our transparency and our accountability. This bill will work if we choose to make it work.

**Mr Jeff Leal (Peterborough):** It is indeed a pleasure for me to make some remarks on Bill 25, An Act respecting government advertising.

This goes back many years: I remember as a young fellow, just preceding the 1981 election in Ontario, the government of the day, Mr Davis—as a result of the OPEC oil crisis, there was a great emphasis on conservation. Remember those commercials that had a great jingle, "Preserve it, conserve it, that's why folks are doing it, to conserve electricity, gas and oil"? Experts in the area who studied advertising at that time said it was the most seductive subliminal message ever brought forward to the people of Ontario, because if you say it quickly, "Preserve it, conserve it" becomes Progressive Conservative. That was one of the determinations they made at that time. We know that Mr Davis, with all his skills, went on to a majority government in 1981.

Last summer, my wife Karan and I had the opportunity to visit the annual yard sale sponsored by the Lakefield animal shelter. Many individuals approached me on that fine summer afternoon to indicate how upset they were that their mailboxes were full of glossy pamphlets sent to them by government ministries from the then Ontario government led by Mr Eves. I recall the one I personally received from the Ministry of Energy. It had a wonderful picture of the member from Nepean-Carleton.

After the crisis that the former government brought on to itself through the ill-timed deregulation policy, the government of the day was desperate to try to convince the general public that there was a new policy that would indeed calm the water.

People knowledgeable in the field, such as Mr Bob Lake, president of the Peterborough Utilities Services, were critical because part of that initiative was Bill 210, which forced on local distribution companies two options: (1) zero rate of return, which, if followed, would have forced LDCs into bankruptcy; or (2) for profit. It didn't allow local LDCs to operate as not-for-profits to allow ordinary folks in Ontario to have a break. As a matter of fact, the energy policy described in this little leaflet here actually brought about the cancellation of a rebate program in the riding of Peterborough for those individuals who had electric water heaters.

While the general public may have been hoodwinked for a short time, experts in the field knew this policy was a bit of a Trojan Horse. This bill authorizes the auditor of Ontario, soon to be renamed the Auditor General of Ontario, to review government advertising initiatives and their content.

For the sake of discussion, I look at section 5 of the bill:

"5(1) When an item is given to the Office of the Provincial Auditor for review, the Provincial Auditor shall review it to determine whether, in his or her opinion, it meets the standards required by this act.

"(2) The decision of the Provincial Auditor" then would be "final."

#### Section 6:

"6(1) The following are the standards that an item is required to meet:

"1. It must be a reasonable means of achieving one or more of the following purposes:

"i. To inform the public of current or proposed government policies, programs or services available to them.

"ii. To inform the public of their rights and responsibilities under the law.

"iii. To encourage or discourage specific social behaviour, in the public interest.

"iv. To promote Ontario or any part of Ontario as a good place to live, work, invest, study or visit.

"2. It must include a statement that the item is paid for by the government of Ontario.

"3. It must not include the name, voice or image of a member of the executive council or a member of the assembly."

"4. It must not be partisan"—which is key.

"5. It must not be a primary objective of the item to foster a positive impression of the governing party or a negative impression of a person or entity who is critical of the government." It seems to me that's a very important section to preserve the democratic process here in Ontario.

"6. It must meet such additional standards as may be prescribed" over a period of time that the Auditor General will deem necessary.

I'm not the only one in this province who had great concerns about the precious dollars wasted by the previous government on ads. I'd like to quote from a column written by John Ibbitson in the National Post on January 18, 1999: "The Tories have spent a good \$30 million or so over the past two years on advertising never seen before in this province from a government—direct, unambiguous, partisan advertising, some of it bordering on attack ads, aimed at discrediting anyone who questions Conservative policy, paid for, not by the Progressive Conservative Party of Ontario, but by the government of Ontario."

Again I quote: "Starting in 1997 but accelerating rapidly in the past five months, the Conservatives have taken to the airwaves with ads of unprecedented partisanship. There have been education ads attacking teachers for not working hard enough"—can you imagine that?—"ads celebrating welfare, ads defending hospital closures.

"Each campaign costs millions, more than even the cash-laden Progressive Conservative Party can afford. So the Tories simply stuck a trillium at the end, announced the ad was 'a message from the government of Ontario' and took the money from petty cash."

I want to acknowledge that major, unforeseen crises and tragedies occur during the life of a government. Last summer, during the SARS crisis, I think it's very important that the government of the day used the advertising vehicle to provide necessary information surrounding that particular crisis. I want to commend the previous government on reassuring Ontarians that they did their job during the SARS outbreak to provide necessary information, and certainly during the blackout last August.

#### 1750

I want to conclude with the following observations about Bill 25:

One, I think it will enhance democratic renewal in Ontario by removing one of the built-in advantages that a sitting government has. If you believe in democracy, it is essential that the sitting government be prevented from using the massive resources of government to distort the democratic process.

Two, instead of using financial resources to pay for advertising, the money can be invested in schools, hospitals and other worthy public services.

It would be my hope that all of us in this Legislature can support Bill 25. It is an important piece of legislation for democratic renewal, provides more transparency, and it frees up financial resources to be used in priority areas.

**The Acting Speaker:** Questions and comments?

**Mr Dunlop:** I realize he left a couple of minutes on the clock over there, so I thought maybe he'd want to complete the time.

It's great to make a few comments on it. I think—I get all the ridings mixed up—it was the member for Etobicoke-Lakeshore, her comments about, I believe it was, the \$234.5 million—I really find that so misleading to the citizens of the province of Ontario. Your colleague from Peterborough stands up and he talks about things like the SARS ads, and we talked earlier today about the Telehealth. You're putting that all together. You're parcelling that all together in the same \$235 million.

What really bothers you, I think, is what we would call the ON magazines. Apparently, that's what is behind this bill, this piece of legislation, because it had a picture, usually of the Premier and the Minister of Education. I don't know what else you're talking about if you're not talking about just that. What else was there? We've asked for the partisan ads—we've asked you to show a list of them. But certainly it had to be the ON magazine, because you can't compare the SARS ads and the Telehealth ads and the ads that the Ministry of Natural Resources produced about the black bear problems we had in the province of Ontario and Ontario's Living Legacy. I just think these are all good programs and good pieces of literature for the citizens of the province to have.

With that, I think it's wrong to include the \$234.5 million and not just say exactly the ads you were talking about and the value of those dollars concerning those ads.

**Mr Bisson:** I thought the comments were actually interesting, because I think the member tried, as much as possible in a non-partisan way, to get at the crux of the issue. I think he tried to recognize in his debate that there is a legitimate need for members of the assembly, governments and opposition parties, to communicate and to put out whatever piece of information we're trying to put out as a way of communicating.

The issue becomes, where do you draw the line? Do you say a government should have the right to advertise insofar as being able to advance its political goal? Well, that's a pretty grey area, because, quite frankly, every political party out there is trying to advance itself as being better than the next one. Hopefully, one day, at election time, that political party will have more seats than the other one and form the government.

This is kind of a strange debate that we're having, because I agree in principle with what the government's trying to do. I guess I'll support it; it wouldn't hurt one way or another, but the bill really doesn't deal with the nub of the issue, and that is, in my view: How do we deal with the legitimate need of government and opposition parties to communicate with the voters; how do we do that in a fiscally responsible way that recognizes our traditions of democracy so that as a democratic institution this Parliament is able to communicate with people outside? More importantly, how are individual members able to figure in all of that? I guess the government, by

way of this bill, is not wanting to deal with that, and I guess that's part of my problem with this debate: You can't deal with one in isolation of the other issues.

If the government's stated aim is that they want to ban partisan political advertising, well, that's fine, but where's the beef? This bill, in my view, doesn't do that at the end. Governments will still be able to advertise, as the Conservatives did before or any other government before that.

If the government wants to engage in a real debate, send this thing off to committee or committee of the whole and we can decide how best to do that, because I don't believe this bill does it in the first place.

**Mr Pat Hoy (Chatham-Kent Essex):** I'm pleased to comment on the presentations by the members from Etobicoke Centre and Peterborough. They captured the essence of what we're talking about in Bill 25. It's not a large bill—it's seven pages, translated, in both official languages—but it means so much. It means so much to the citizens of Ontario who told us, then in opposition, that the government was running wild with their ads.

It wasn't our opposition party of the day that brought this up; the people in my riding noticed it. They said, "The government has overstepped the bounds of advertising." Glossy brochures were coming into their homes on a regular basis. You could wallpaper the rooms with them. The government clearly overstepped the line. Not only did they overstep the line in regard to advertising, but they erased the line. The line wasn't there any more. So we, as promised, are going to put some parameters around advertising.

All governments advertised in the past. We've heard the statistics and the numbers of tens of millions of dollars of advertising that have gone on in the past by the third party, the official opposition and our party, but I can recall some of those ads, prior to being elected, and in the main they provided information. It may have had the minister's name on it, it may have had the Premier's name, but it was information.

But clearly the people of Ontario said that what was happening under the last regime was that blatant partisan advertising was coming into their homes in the amount of not tens of millions of dollars, but hundreds of millions of dollars. Some \$600 million was spent on advertising. The official opposition will not support this bill because it would be an admission that they were wrong.

**The Acting Speaker:** In response, I recognize the member for Etobicoke Centre.

**Mrs Cansfield:** I'd like to thank my colleagues from Peterborough and Chatham-Kent-Essex for their comments, and I would like to comment as well on the members for Simcoe North and Timmins-James Bay.

The issue of communication, I think, is a critical one. There is a role for government to play in terms of communication, and I guess it's that thin line, the edge of the wedge. In fact, that's the debate that really needs to occur. At what point does it become partisan and at what point is it not partisan?

There's no question that there is a need for a government to communicate with its people, and there's

no question that members of Parliament have a need to communicate with their constituents, but at what cost, I guess, is part of the question. The ethics and principles surrounding that type of communication are good debatable points that hopefully will happen in committee, as the member for Timmins-James Bay has indicated.

We owe it to the people of Ontario to spend their money wisely, as I said earlier. We recognize that we have to deal with this issue, so let's deal with it. Some \$600 million is a great deal of money to be spent on advertising over a period of eight years. There's no question that some of it was legitimate in terms of addressing issues around SARS and West Nile, but there's also no question that a great deal of it was unsolicited in terms of the kinds of attack ads. That should not be paid for by the people of Ontario.

I welcome the debate that will hopefully occur around the ethics and principles that should surround communications for members of Parliament and for the government as a whole. I think this is something we need to wrestle with, so that we can articulate those clearly to the electorate in Ontario so that they are as aware of the rules as we are, because we have an obligation as well as the responsibility to communicate with our electorate.

**The Acting Speaker:** I wish to inform the House that we've scheduled a late show for this evening. Pursuant to standing order 37, the question that this House now adjourn is deemed to have been made.

1800

## ADJOURNMENT DEBATE

### ROAD SAFETY

**The Acting Speaker (Mr Ted Arnott):** The member for Simcoe North has given notice of his dissatisfaction with the answer to his question given by the Minister of Transportation yesterday concerning consultation with police services. The member has up to five minutes to debate the matter, and the minister may reply for up to five minutes.

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to be here, and I'm glad—

*Interjections.*

**Mr Dunlop:** I'm glad the heckling has already begun, because they obviously don't want me to do this late show, because the minister didn't, of course, answer the question.

Bill 73 is about public safety. Let me begin by talking a little bit about public safety. The question—

**Interjection:** What's the question?

**Mr Dunlop:** I asked the question yesterday; I'm referring back to it now. I'm talking about the public safety aspect. I can tell you that there's probably nobody in this House who thinks more of the public safety of children around school buses or in cars than I do. I've got a granddaughter who gets on a school bus three days a week: Mondays, Wednesdays and Fridays. I've got a

daughter with three little girls. They each have separate car seats in their vehicles. I can tell you that my wife and I, when we take any of the little girls out, transfer those car seats into the—

**Mr David Zimmer (Willowdale):** On a point of order, Mr Speaker.

**Mr Dunlop:** Isn't that pathetic? He's trying to get a point of order on something about public safety when it's a public safety question. It's pathetic.

*Interjections.*

**Mr Dunlop:** Well, they don't even know what a late show's all about. That's how sad it is. They don't even know what the late show's about.

I asked the question the other day to the Minister of Transportation. I thought it was a fair question: "Did you talk to the police?" He answered, "I have talked to the police forces and they're very supportive of this legislation."

So we did a bit of homework. You know what? He never talked to any police. He certainly never talked to the Police Association of Ontario. He never talked to the Ontario Association of Chiefs of Police. At a cocktail party, he might have talked to somebody, but I think he shouldn't have come back and said, "I've talked to police," because he didn't talk to the people who represent the police officers in this province who have to enforce this piece of legislation.

It will take many, many resources of police officers' time to enforce this legislation. For example, birth certificates: We're going to have to make sure that any grandparent, or any parent, has a birth certificate in their hands of that child that they're transporting, because they'll be entitled to a fine. It's plain and simple.

**Hon Christopher Bentley (Minister of Labour):** These were the same arguments that were made with seat belts.

**Mr Dunlop:** Quit yapping away. You have no idea what you're talking about.

Second of all, height and weight: It's going to take police officers to measure the height of the children. It's going to take police officers to weigh the children. It'll take many officers. These people promised 1,000 new police officers to the citizens of Ontario in their platform. Nothing is there. There are no police officers coming. You can be guaranteed of that.

The next day I asked him the question again. This was the answer again, when I asked him, "Minister, why would you tell this House, and why would you tell Ontarians, that police were consulted on this legislation when in fact they weren't?" Last week, this was his answer. "Last week, I was at the opening of a police centre in Peel region, and there were police forces from almost all of Ontario present there. Most of them complimented me on the introduction of this legislation." They complimented him after he introduced the legislation. This minister never consulted with the police of Ontario, the very people who are going to enforce this piece of legislation. I think it's very, very disappointing that he would answer this question two days in a row—

basically he misled me. Maybe he didn't mislead his caucus, but he certainly misled me. I certainly did not believe the answer.

**The Acting Speaker:** I would ask the member for Simcoe North to withdraw the statement that he just made.

**Mr Dunlop:** OK, I will withdraw the word "misled."

The minister told me he consulted with the police services, which I would consider to be the Police Association of Ontario or the Ontario Association of Chiefs of Police. He didn't do it. He plainly and simply didn't do it, and he said to this House that he had consulted with the police. That's the problem. That's why I asked for the late show.

I'd like to see the list of people he actually consulted with. I'm asking that—

**Hon Harinder S. Takhar (Minister of Transportation):** I'm going to give it to you.

**Mr Dunlop:** Oh, you're going to give it to me. While you're there, give me the dates. Put the dates on record that you consulted with the people. Put the dates on record—not something you talked about this week, not someone you talked to as a result of my bringing up this late show; give me the answer and give me the people you consulted with prior to the legislation.

*Interjection.*

**Mr Dunlop:** Well, if you had the answer before, why didn't you give it to me last Thursday or Monday? You didn't do it. You had the opportunity, and that's why I asked for the late show, because you certainly didn't come clean with me when I asked you the question. As far as I'm concerned, this government avoids every question they can possibly answer to the citizens of Ontario. Thank you very much. Now, he can talk to himself.

**The Acting Speaker:** Thank you. The Minister of Transportation has an opportunity now to reply.

**Hon Mr Bentley:** On a point of order, Speaker—

**The Acting Speaker:** There are no points of order.

**Hon Mr Takhar:** I'm surprised that the member asked the question and then he left. I mean, that's the kind of courtesy he has for this House.

**The Acting Speaker:** I would ask the Minister of Transportation to refrain from talking about the presence or absence of another member. That's not something that we do around here.

**Hon Mr Takhar:** Let me thank the member for Simcoe North. Finally, he has some interest in safety legislation and I'm delighted about that.

As I said in the House, we had extensive discussions with the OPP on this bill, including the booster seat provisions and vehicle owner liability.

In particular, I'm grateful to Deputy Commissioner Moe Pilon from the OPP and the OPP's traffic and marine section for the tireless help and assistance provided to my ministry on a number of road user safety issues, including booster seats, improvements to school bus safety and improving the safety of young drivers.

I'm also very grateful for the support of the Peterborough city police, who recently declared support for

our improved booster seat provisions, and the Peterborough county OPP, who have said that they support the changes to graduated licences.

The York Regional Police are also on public record supporting changes to the graduated licensing system.

The Brockville Police Service is on record supporting the school bus element of the bill.

OPP Toronto recently took part in our spring seatbelt campaign to promote the use of booster seats, as did OPP Red Lake, Pickle Lake, Dryden, Marathon, Thunder Bay, Nipigon, and others.

I would also like to take this opportunity to thank each and every one of them for their ongoing support in communicating just how important booster seats are in helping to reduce the death and injury rate on the roads.

I'm also grateful to Safe Kids Canada, the CAA, the Ontario School Bus Association, the Infant and Toddler Safety Association, SMARTRISK, the Hospital for Sick Children, the Ontario Medical Association, Canada Safety Council, the Ontario Safety League, and many other stakeholders who gave us helpful comments and advice on various policy issues affecting booster seats, school bus safety and the safety of teenage drivers.

Today I spoke at the International Association of Auto Theft Investigators, where there were representatives from law enforcement agencies. Many of them spoke to me personally about their support for this bill.

It's very important for us to consult with the law enforcement agencies, but I think what is really important is for us to consult the wider public, because that's where this legislation really applies and whom this legislation, if passed, will really impact.

On average, for the last several months, I have attended at least eight to 10 events a week, talking to people, talking to the public, and asking their views on

this legislation. This included several ethnic groups, and just last week I had the opportunity to attend one of the largest Sikh functions, where I also talked about this legislation.

As I'm talking about the Sikh function, they just recently celebrated Vaisakhi, the 305th anniversary of the Khalsa, and I wanted to congratulate them as well.

*Applause.*

**Hon Mr Takhar:** Thank you.

The Premier also attended one of the largest Sikh functions in Toronto—there were thousands of people there as well—and he also attended in Ottawa, the first Premier ever to do so.

As I am on the subject of Sikhs, I also want to say to you that this year is a very special year for Sikhs as we go on to celebrate three very significant events in Sikh history. These events are the 500th Parkash Utsav of Guru Angad Dev Ji. Guru Angad Dev Ji was born in 1504 and had a special place in Sikh history because of the services he rendered. He improved Gurumukhi, which is the Punjabi dialect, into a full-fledged language and standardized it.

Secondly, we are also fortunate to observe the 400th year of the installation of Guru Granth Sahib in the Hari Mandi Sahib, Amritsar, which is the sacred place for the Sikhs. First compiled by Guru Arjun Dev Ji, it was installed in the holiest of holy Harminder Sahib in 1604.

I want to take this opportunity to congratulate all the Sikh community for the wonderful job they're doing in this province and for the contributions they are making to society. I had extensive consultations with them as well.

**The Acting Speaker:** It being past 6 of the clock, this House stands adjourned until tomorrow at 1:30 pm.

*The House adjourned at 1811.*

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D23

No. 47



Nº 47

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 12 May 2004

Mercredi 12 mai 2004

Speaker  
Honourable Alvin Curling

Clerk  
Claude L. DesRosiers

Président  
L'honorable Alvin Curling

Greffier  
Claude L. DesRosiers



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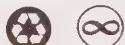
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 12 May 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 12 mai 2004

*The House met at 1330.*

*Prayers.*

### MEMBERS' STATEMENTS

#### RAIL SERVICE

**Mr Frank Klees (Oak Ridges):** I'm pleased to welcome representatives from the rail industry in Ontario to the House today. Thanks to the previous government, major improvements in the rail net are now underway in this province. Soon we'll see GO service to Barrie. We'll see grade separations increase commuter capacity on north-south spokes from the GTA without affecting freight capacity.

In opposition, the Liberals spoke very freely about making wild promises that didn't work with the competing demands of freight and commuter rail, so I'm pleased to see they're adopting our vision of rail service in the province of Ontario.

The Canadian rail industry has worked hard to become more efficient over the last number of years. Productivity per employee has doubled over the last decade within that industry, and rail's embrace of intermodal business models has been an important factor in the overall competitiveness of Ontario's economy.

All that this industry is looking for now is a level playing field in the area of taxation and a number of other areas that affect public policy. Given the benefits rail can bring to reducing gridlock in our communities across the province and in fighting pollution, I believe that that respect is the very least we can do to support this industry through our public policy. I trust this government will see the wisdom of doing exactly that.

#### COMMUNITY LIVING CAMPBELLFORD-BRIGHTON

**Mr Lou Rinaldi (Northumberland):** It's with great pleasure today that I rise in this House to congratulate and welcome the people from Community Living Campbellford-Brighton in my riding. They're here in the gallery.

For the second consecutive time and the first time ever in Canada, this association celebrated a three-year accreditation with distinction. The association is the first ever to receive a consecutive three-year accreditation with distinction. In 2000, they were Canada's first recipient, and continue to maintain their high level of achieve-

ment, to once again be nominated and awarded such a distinction.

Accreditation is based on results of interviews with people who receive support and service from the agency, together with findings of each individual's satisfaction with the association, as well as a review of quality management and planning efforts.

Community Living Campbellford-Brighton's honours do not stop there. They were also the recipients of the Donner Canadian Foundation Award for excellence in the delivery of social services for overall performance. This \$20,000 overall award is presented to the organization that exhibits the highest level of achievement among the category award recipients. The agency won \$5,000 last year for achieving the highest honours in the services for people with disabilities category. Recipients of this award are chosen based on an objective performance evaluation that is unique to the non-profit sector.

I want to congratulate these folks and thank them for being here today.

#### COMMUNITY REINVESTMENT FUND

**Mr Robert W. Runciman (Leeds-Grenville):** Since the Liberal government took power, Premier McGuinty has tried to convince everyone that his government will not raise taxes. Unfortunately, this government is discovering new ways to covertly increase taxation in a way that greatly affects all taxpayers.

Residents of Elizabethtown-Kitley township in my riding are now experiencing the tax increases the Liberal government claims do not exist. Under the funding formula approved by the previous government, community reinvestment funding was designed to cover policing costs in rural areas that exceeded \$90 per resident. That means that in 2003 the government should have picked up \$499,000 of the policing costs, but instead the final CRF allocation was only \$354,000, for a shortfall of \$145,000.

In December, the finance ministry informed municipalities that the government would not guarantee that CRF funding would be increased over 2003 levels. The OPP has increased policing costs in this township by over 31%, which will leave the township with a \$370,000 shortfall. This is money that will have to be picked up by local taxpayers or other programs will have to be cut.

Is that not a tax increase? The Ontario government should either be honest and admit it is raising taxes or make a commitment now that it will provide the funding set out in the local policing funding formula.

## HIKE FOR HOSPICE

**Ms Jennifer F. Mossop (Stoney Creek):** Just a week and a half ago, on a Sunday morning, the skies over the Golden Horseshoe of Ontario were leaden grey, and a bone-chilling rain was steadily falling. The place to be, decidedly, was curled up under the blankets, with a good book and a hot cup of tea. But throughout the area and across the country people left their cocoons and ventured into the forbidding climate.

At 10 o'clock that morning in my riding of Stoney Creek, some 50 people from the very tall to the very small bent their heads against the wind coming in from Lake Ontario and began a 10-kilometre hike along the shoreline. They sustained themselves with the reason they were out on that Sunday morning in the cold and rain. They thought about hospice. In my riding they thought about the Dr Bob Kemp Hospice.

The annual Hike for Hospice on May 2 raised much-needed funding for a much-needed service in our world. Hospice in Ontario takes many forms: volunteers who go into homes to provide care and support for those who are facing their last days; day programs in centres; and, in some cases, a place, a homelike and humane setting where one can go on that final leg of life's journey.

In Stoney Creek, a residential hospice is the long-held dream and goal of Dr Bob Kemp, his wife Mildred, their family, many volunteers, staff and the community. Those who braved the elements that Sunday morning helped to move that dream closer to reality by raising \$9,000. Many thanks and congratulations to all those who took part.

1340

## CHIROPRACTIC HEALTH CARE

**Mr Peter Kormos (Niagara Centre):** Down where I come from in Niagara Centre, just like across Ontario, chiropractors play a vital role in the delivery of health care and are an important part of our health care and medicare system.

Chiropractors, however, are reading the signals very clearly. Just like optometrists, just like physiotherapists, they see themselves as very much under attack by this government. Chiropractors are telling folks that this budget on May 18 is going to find people across this province, seniors and other folks who need chiropractic care, sorely wishing that the change they voted for was in fact happening, because what we see, and the writing's increasingly clear on the wall, is that chiropractors are going to suffer delisting of services and reduced payments, along with their colleagues in the practice of optometry and physiotherapy.

It's not only stupid, it's short-sighted on the part of the government, and it's contrary to what Canadians believe in about public health care. Chiropractors are an integral, effective part of our complete health care system. They are strong, important health professionals in the delivery of treatment to people across this province.

I say to you that New Democrats are going to resist with all our energy any effort to delist chiropractic services. Indeed we are going to resist any effort on the part of the Liberals here at Queen's Park to marginalize chiropractic services, to in effect privatize them and to impose new and increased user fees on patients of chiropractic practitioners.

## CARASSAUGA

**Mr Vic Dhillon (Brampton West-Mississauga):** It's a great pleasure to have the opportunity to speak today about one of our greatest multicultural assets. This year Carassauga is celebrating its 19th anniversary, and on behalf of the city of Mississauga I'd like to extend invitations to this city's largest community festival, running May 28 to 30.

Carassauga is a celebration of cultures, a meeting place where we can all discover the intricate traditions and histories of one another. Everyone has the opportunity to travel the world over the three-day course of this festival. A mosaic of entertainment and traditional delicacies is celebrated across 12 locations throughout Mississauga. Visitors are presented with a passport for unlimited access all weekend to experience different countries, including China, Greece, the Caribbean, the Philippines, Egypt, Latin America and more.

This festival debuted in 1985 with 10 pavilions and has grown to this anniversary to include 18 pavilions. Mayor Hazel McCallion is credited for the onset and continuous success of this festival. Citizens of the city are proud of its growth and what it represents. The levels of excitement and participation from visitors are evident during this time with the sights of parents, children, grandparents and grandchildren.

Carassauga has extended itself not only into the facet of our cultures, but it has also become a timeless tradition.

## NURSES

**Mr Norm Miller (Parry Sound-Muskoka):** On this day in 1820 Florence Nightingale was born. She is perhaps history's most renowned nurse. As a nurse during the Crimean War, she was fundamental in caring for those in combat. She wrote home on behalf of them, sent their wages back to their families and introduced reading rooms into the hospital. For all this, she has not been forgotten, and her legacy of dedicated and compassionate care lives on to this very day.

However, the legacy of Florence Nightingale lives on not only in the tomes of history, but it continues to live on every day in the hospitals, nursing stations and health care centres all over this province. In my riding, nurses like Norma Bustard give their lives to caring for those in need, and it is with pleasure that I stand today in celebration of Nurse Recognition Week.

Yesterday I had the opportunity to attend the 30th anniversary celebration of the Britt Nursing Station in my

beautiful riding of Parry Sound-Muskoka. I was reminded of just how vital nurses are to our communities. The people of Britt spoke their praise of Ann Palamar, their nurse practitioner, sharing story upon story of how she had cared for them and impacted their lives.

Last year I was fortunate enough to attend the opening of the Rosseau Area Nursing Station, and next month in Dunchurch, the Whitestone and Area Nursing Station will open. These are projects of which I am very proud. I lobbied a great deal to have their applications approved, and to see them open and to know that the residents of Rosseau and Dunchurch, like those of Britt, will be cared for by hard-working, compassionate nurse practitioners is a great joy.

We have each been touched by the work of a nurse. I would like to conclude by thanking nurses for all they have done and all they continue to do throughout this great province.

## RAIL SERVICE

**Mr John Wilkinson (Perth-Middlesex):** This country and our province were forged by ribbons of steel. My hometown of Stratford was the hub of the historic Grand Trunk Railroad in the 19th century and the massive CNR repair yards in the 20th century. That is why I am pleased to rise today to acknowledge the exceptional role that the railway industry plays in our communities.

The Railway Association of Canada is the industry association of some 60 freight and passenger railways that operate throughout Canada. In Ontario, there are 22 railway lines, including class 1, short lines, commuter and tourist railways. These railway lines span all across the province and touch all our lives, whether it's commuting to work, taking a vacation or transporting goods to market.

Maximizing the use of railways helps to relieve pressure on congested highways, improves air quality and provides a link to both the NAFTA and global markets for Ontario and its goods.

This morning I had the pleasure, along with other members, of attending a reception hosted by the Railway Association of Canada. I enjoyed the discussions on the railway industry, its future and how it contributes to our economy.

Today is Rail Day at Queen's Park. On behalf of all members of the Legislature, I would like to congratulate the Railway Association of Canada and ask my fellow members to join me in welcoming representatives of the Railway Association of Canada in the members' and public galleries.

## BY-ELECTION IN HAMILTON EAST

**Mr Frank Klees (Oak Ridges):** I rise today on behalf of the people of Hamilton East. The question on their lips today no doubt is, "It's the day before the by-election, and do we know where the Premier is?"

Since it's now hours before the polls open, we can confirm it. The fact is, the Premier is a mile from the

riding. He is in fact a mile above the riding. He is en route to Washington, DC. Will Mr McGuinty—

**The Speaker (Hon Alvin Curling):** You did a statement before, the first statement.

**Mr Klees:** Yes.

**The Speaker:** You're only allowed one statement.

Members' statements? The member from Burlington.

**Mr Cameron Jackson (Burlington):** I'm as surprised as everybody in the House as to where the Premier is.

I rise today on behalf of the people of Hamilton East and the member for Oak Ridges. The question on their lips is this: "It's the day before the by-election, and do we know where our Premier is?"

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: My understanding of the rules of the Legislature is that we're not supposed to talk about members not being here. That's number one. Number two, the clock had run down to 40 seconds and had been restored to the full minute and 30 seconds because of their misstep in having a member violate the rules. How does that happen?

**The Speaker:** I'm going to ask the members' indulgence on this one, because, as a matter of fact, when it started, I thought the member had his first statement, and I was trying to recollect myself. By the time I did that, the clock was rolling. I'm going to ask the House's indulgence for you to just continue and finish.

On the second point that you made, that the clock was rolling, let me be neutral in this and say that you have half of that time in which to do it. Do it as quickly as possible.

**Mr Jackson:** Thank you very much, Mr Speaker.

Will Mr McGuinty find time to wave at voters as he flies by? Will Mr Agostino's campaign workers be asked to pause and glance skyward in preparation for the Premier's ceremonial flypast?

Yes, the Premier has not spent a single day in Hamilton East since the by-election began. Our superb candidate, Tara Crugnale, is disappointed. After all, she was counting on the Premier's presence to boost her support, but voters will be even more disappointed to know that he has chosen to hide from their concerns.

He chose to be Dalton McGuinty's candidate—thank you.

## VISITORS

**The Speaker (Hon Alvin Curling):** I'd like to draw your attention to the Speaker's gallery. We have with us today a federal minister from the kingdom of Morocco, responsible for the Moroccan community abroad, Mrs Nouzha Chekroni. Accompanying her is the deputy ambassador of the kingdom of Morocco to Canada, Mr Ahmed Saber. Please join me in welcoming them today.

We also have in the Speaker's gallery today Mr Jesse Flis, the former member of Parliament for the federal riding of Parkdale-High Park. He was first elected in 1979 and served four terms in Ottawa, until his retirement in 1997. Please join me in welcoming Jesse Flis.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Mr Tony C. Wong (Markham):** I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

**Clerk at the Table (Mr Todd Decker):** Your committee begs to report the following bill without amendment:

Bill Pr3, An Act respecting the Association of Registered Graphic Designers of Ontario.

Your committee begs to report the following bill, as amended:

Bill Pr2, An Act respecting the Malton Seventh-day Adventist Church.

**The Speaker (Hon Alvin Curling):** Shall the report be received and adopted? Agreed.

### INTRODUCTION OF BILLS

#### FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY AMENDMENT ACT, 2004

#### LOI DE 2004 MODIFIANT LA LOI SUR L'ACCÈS À L'INFORMATION ET LA PROTECTION DE LA VIE PRIVÉE

Mr Marchese moved first reading of the following bill:

Bill 81, An Act to amend the Freedom of Information and Protection of Privacy Act with respect to universities / Projet de loi 81, Loi modifiant la Loi sur l'accès à l'information et la protection de la vie privée en ce qui concerne les universités.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Rosario Marchese (Trinity-Spadina):** The bill would have the effect of making all universities subject to the freedom of information act. The public has a right to information held by public institutions, and we think the bill is in the spirit of the Premier's pledge to make all government agencies subject to FOI.

### MOTIONS

#### HOUSE SITTINGS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 to 9:30 pm on Wednesday, May 12, 2004, for the purpose of considering government business.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

All those against, say "nay."

I think the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1354 to 1359.*

**The Speaker:** All those in favour, please rise to be recognized by the Clerk.

#### Ayes

Baird, John R.	Fonseca, Peter	Peters, Steve
Barrett, Toby	Gerretsen, John	Phillips, Gerry
Bartolucci, Rick	Gravelle, Michael	Pupatello, Sandra
Bentley, Christopher	Hardeman, Ernie	Ramal, Khalil
Berardinetti, Lorenzo	Hoy, Pat	Ramsay, David
Bountrogianni, Marie	Jackson, Cameron	Rinaldi, Lou
Bradley, James J.	Jeffrey, Linda	Runciman, Robert W.
Broten, Laurel C.	Kennedy, Gerard	Ruprecht, Tony
Brown, Michael A.	Klees, Frank	Sandals, Liz
Bryant, Michael	Lalonde, Jean-Marc	Scott, Laurie
Cansfield, Donna H.	Levac, Dave	Sergio, Mario
Chambers, Mary Anne V.	Marsales, Judy	Smith, Monique
Colle, Mike	Martiniuk, Gerry	Smitherman, George
Cordiano, Joseph	McNeely, Phil	Takhar, Harinder S.
Craitor, Kim	Meilleur, Madeleine	Van Bommel, Maria
Crozier, Bruce	Miller, Norm	Watson, Jim
Delaney, Bob	Milloy, John	Wilkinson, John
Dhillon, Vic	Mitchell, Carol	Wilson, Jim
Di Cocco, Caroline	Mossop, Jennifer F.	Witmer, Elizabeth
Dombrowsky, Leona	O'Toole, John	Wong, Tony C.
Duguid, Brad	Ouellette, Jerry J.	Wynne, Kathleen O.
Duncan, Dwight	Parsons, Ernie	Yakabuski, John
Flynn, Kevin Daniel	Patten, Richard	

**The Speaker:** All those against, please rise and be recognized by the Clerk.

#### Nays

Churley, Marilyn	Marchese, Rosario	Prue, Michael
Kormos, Peter	Martel, Shelley	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 68; the nays are 5.

**The Speaker:** I declare the motion carried.

### VISITORS

**Hon Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** Mr Speaker, on a point of order: I'd like to welcome today the grade 7 students from the French immersion program at St Michael's Choir School who are here with their teacher. They are here with their colleague Joseph, who is one of our pages, from Scarborough East.

**Mr John R. Baird (Nepean-Carleton):** Mr Speaker, on a point of order: I'd like to welcome to the gallery Toronto school trustee Rick Telfer who is with us today.

**The Speaker (Hon Alvin Curling):** Two members rose on points of order which are not points of order.

**Mr Norm Miller (Parry Sound-Muskoka):** Mr Speaker, I have a point of order which is not a point of order. I would like to point out my daughter Renée, who is here.

**The Speaker:** This is a tough one to rule on.

**Ms Marilyn Churley (Toronto-Danforth):** Mr Speaker, on a point of order: We have the school trustee for the Toronto-Danforth riding in the chamber today, and that is Mr Rick Telfer, who is sitting in the gallery.

**The Speaker:** That is a legitimate recognition, but I would much prefer that the Speaker identify and recognize the person.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### NURSES

**Hon George Smitherman (Minister of Health and Long-Term Care):** Today is International Nursing Day and this date, May 12, also marks the birth of Florence Nightingale, in 1820. Nightingale is remembered as a pioneer of nursing and today reminds us of the importance of the nursing profession, around the world and across the centuries.

Today, I ask you to join me in paying tribute to nursing in Ontario by marking Nursing Week and in expressing our appreciation for the extraordinary contribution that nurses make to the health and quality of life of our people and our communities every single day.

Not many professions are as diverse as nursing. Not many professions have such a rich heritage and such promise for the future. As Minister of Health and Long-Term Care, I have the opportunity to visit communities and meet the talented, dedicated and compassionate people who deliver care. This experience is a constant reminder of what health care is all about: people caring for people—the ultimate public service.

Our government has embarked on a plan to make significant system-wide changes to health care, changes that will make health care more responsive, more patient-focused and more accountable today so that we can sustain medicare for future generations.

And nurses are central to our plan for positive change. Our government believes that nurses are the heart and soul of health care. That's why we need to make Ontario the best place to work for our nurses. That's why job one for our government is rebuilding the foundations of nursing. That's why we're working hard with the nursing community and hospitals and other health care providers to rebuild these foundations.

First, we're going to the heart of the matter by creating positive, healthy work environments where nurses want to practise. One way to accomplish this is to improve workplace health and safety. We need to do more to protect nurses from on-the-job injury. We know that a basic investment in job safety will deliver returns for thousands of nurses in the form of reduced injury, quality of life and more safety and comfort for their patients.

Workplace health and safety for nurses and other front-line health professionals is a government-wide

priority, and we're making significant progress in this area.

My colleague the Minister of Labour recently created a Minister's Health and Safety Action Group to reduce on-the-job injury in the health sector. Doris Grinspan, the executive director of the Registered Nurses' Association of Ontario, and Ontario Nurses' Association president, Linda Haslam-Stroud, represent nurses in this group.

Then in February, our government invested \$25 million to improve working conditions for nurses by supporting education, professional development, and mentoring, and to purchase new safety equipment, including ceiling-mounted patient lifts, patient lifters, electric beds and electric stretchers.

As we speak about health and safety for nurses, we're reminded of what the Campbell report described as the heroic work of nurses during the SARS crisis last year. We must remember that nurses put their lives on the line every day on behalf of the people of Ontario.

Another concern is the number of nurses working on a casual basis, with too few being given the opportunity of full-time employment. I've challenged hospitals to cash in the overtime dollars and dedicate those resources instead to stability in the lives of nurses, and the hospitals are responding. Hamilton Health Sciences, one of the largest hospitals in our province, has eliminated the use of agency workers, who have typically been paid triple time. Recently I had the opportunity to visit at my local hospital, St Michael's, which has introduced the same policies and has dramatically expanded the opportunities for full-time nursing.

But that's not all. We've invested \$50 million in hospitals to create new full-time nursing positions. This means full-time opportunities for new nursing graduates so that we can keep them here in Ontario. And this means opportunities for nurses who are now working part-time and casual; 800 new jobs have been created.

Health providers must be accountable for using precious health care dollars to deliver quality patient care. Simply put, if hospitals fail to use targeted funding to create full-time nursing positions, they will lose this money and it will instead be invested in hospitals that can.

Accountability means giving staff nurses a voice in decisions about nursing resources. Nurses must have a direct say in decisions that affect their health, well-being and the quality of their work life. That's why front-line nurses and nursing councils will be involved in the process for deciding how targeted nursing investments are used.

And one more point on accountability: From now on, all hospitals will be required to have their local Ontario Nurses' Association representative sign off on funds that are intended exclusively to create full-time nursing positions. The sign-off is intended to ensure that these funds were used to create the full-time nursing positions that were intended.

I'm constantly amazed by the diversity of roles that nurses play in our health care system. Nurses assist the

most vulnerable and marginalized people in times of need. They provide comfort and dignity to people who are facing death. Nurses bring babies into the world and help new mothers give their children the very best start in life possible. Nurses heal wounds and manage care. They help people to conquer addictions and cope with mental illness. They promote good health and they prevent disease. Nurses teach, they research, they mentor and, above all else, they lead.

There are many more new opportunities in store for nurses in Ontario. One such opportunity is elder care. During National Nursing Week, the RNAO and Registered Practical Nurses Association of Ontario are jointly launching a public-awareness campaign about elder health and elder care in our communities, something that I'm working very closely on with my colleague the minister responsible for seniors.

That's thrilling to see, because there's a tremendous need to attract more nurses to careers in elder care. We're taking action here too. Yesterday we announced a far-reaching strategy to ensure the safety and dignity of our seniors living in long-term-care homes. As part of this plan, we will create at least 600 new full-time positions for registered nurses and registered practical nurses. That's because we believe nurses play a vital role in building strong long-term-care and home care services in Ontario.

Our government is also moving aggressively to modernize primary health care by bringing nurses and nurse practitioners together with physicians and other health care providers to provide integrated comprehensive care, the best kind of care that's closest to home. We will expand and enhance home care so that more people have the option of receiving care outside of institutions.

Nursing isn't just a job, it's a calling. Every moment of every day nurses make a difference in the lives of individual patients, families and communities. They're involved in the daily delivery of miracles. I know I speak for all of us when I say thank you to Ontario's nurses for the extraordinary contributions they're making to the quality of our health care system in Ontario.

1410

## WATER QUALITY

**Hon Leona Dombrowsky (Minister of the Environment):** The people of Ontario waited patiently for years for a comprehensive strategy to protect Ontario's water. They wanted the reassurance that their government was taking all the necessary measures to protect water at the source and at every step on its way to the tap. The McGuinty government is going to do just that for the people of Ontario.

We have taken action. We have hired more water inspectors. We have gone to the people of Ontario to consult on source water protection. We have invested in cleaning up the Great Lakes.

Today I am pleased to announce a new initiative to ensure that Ontario's standards serve as the best possible

safeguards for our water. We are establishing an Advisory Council on Drinking Water Quality and Testing Standards. It is very good news.

The advisory council will review all drinking water regulations in the province, including regulation 170. The council will provide advice related to the provincial drinking water standards. It will help ensure that Ontario's standards for drinking water quality and testing are consistent with the most up-to-date information and practices.

The advisory council will be chaired by Jim Merritt, a former assistant deputy minister at the Ministry of the Environment who led the establishment of the Ontario Clean Water Agency.

The advisory council will look at a number of ways to protect water quality and improve standards. It will be asked to give advice on replacing the existing total coliform test with an E coli test, as Justice O'Connor recommended.

Today's announcement of an Advisory Council on Drinking Water Quality and Testing Standards means the McGuinty government has met another six recommendations made by Justice O'Connor. This government promised to take action on the O'Connor report, and we have delivered on our promise.

I want to tell the members about another action we are taking today, relating to the ability of some smaller systems to meet the requirements of the drinking water systems regulation. We have heard from many rural municipalities and owners of small, privately run systems. We have heard that they are having great difficulty meeting the requirements of the regulation.

I have instructed my ministry and the advisory council to undertake a review of regulation 170, the drinking water systems regulation. The review will examine different ways for smaller systems to meet the drinking water standards in an affordable fashion, be it different treatment options or testing regimes. We will not revise the drinking water standards themselves. These are health based and will not be changed.

During the review we will extend the deadline for some systems, such as churches, trailer parks and campgrounds served by surface water, to install treatment equipment for six months. We've extended it to December 31, 2004. However, we will not extend the compliance deadlines for those systems serving vulnerable populations, such as facilities specifically designated to serve the elderly and children. During the review we will work with public health officials, the Ontario Medical Association, municipalities and private operators.

The previous government did not take the time to consider the effects of regulation 170 on rural and northern Ontario. It did not leave any flexibility for water system owners and operators to find workable solutions. The McGuinty government has listened, and we are acting to address the needs of rural Ontario. We have been meeting, and will continue to meet over the next few months, with small systems owners and operators to come up with safe solutions for rural drinking water

systems. We know these operators want to protect water to safeguard the health and well-being of their communities. We will help them do so. We will find solutions that make the regulation workable for rural drinking water systems, while protecting public health.

The actions I have outlined bring us closer to our goal of a comprehensive source-to-tap system. They will protect our drinking water and the high quality of life we enjoy in Ontario.

### TOURISM

**Hon James J. Bradley (Minister of Tourism and Recreation):** I would like to give members a brief report on the state of our tourism industry post-SARS. Last March, Ontario was struck by an outbreak of severe acute respiratory syndrome. The outbreak greatly damaged our \$20-billion-a-year tourism trade, particularly between April and August. Hotel beds and restaurant tables remained empty. The 150,000 businesses in Ontario's tourism industry saw their revenues plummet by \$2 billion. My ministry estimates that 28,000 workers were laid off. We saw losses not just in Toronto, Ottawa and Niagara, but across the province.

That adversity, however, gave birth to a new sense that we are all in this together. I commend the competing businesses that found common ground in an attempt to win back lost trade for everyone. The level of collaboration between the industry and the Ministry of Tourism and Recreation reached a new level. Among the partnerships and tourism-reviving initiatives that grew from this new spirit of co-operation was the widely watched Conan O'Brien television broadcast from Toronto. Another was the placement in a number of upscale US magazines of nine million 16-page inserts extolling the pleasures and treasures of Toronto and Niagara.

We are beginning to see early indications of what I hope will be a permanent upturn in Ontario's tourism business. Starting last month, we began to see improvements in the year-over-year hotel occupancy levels in the GTA. In downtown Toronto, hotel occupancy was up 55%, 113% and 180% in the final three weeks of the month. Weekly reports elsewhere in the GTA also show accelerating gains of nearly 50% and more compared to the same weeks in SARS-struck 2003.

Despite this encouraging news, we are not out of the woods yet. There are still many soft spots in Ontario's tourism market. Hotel occupancy in Ottawa and Niagara Falls has not rebounded strongly or consistently. Many resorts and motels in the north and outside our large cities are getting favourable signs from visitor inquiry levels and summer bookings, but they remain concerned about the future and are cautiously optimistic at best.

It is my intention to meet with tourism stakeholders once again in the near future to discuss how we can work together to build on the progress we have made. A few good weeks do not a full recovery make, but I am hopeful that we have seen the worst. Our government

will continue to work with the industry as we all look forward to further positive change. We will continue to assist communities across the province that are depending on a tourism rebound to help them grow and be better able to provide their residents with a high quality of life.

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** On a point of order, Mr Speaker: I'm wondering why the government would choose not to follow the practice that has been in place in recent years and ask for unanimous consent for each party to speak for five minutes in honour of Nursing Week. Why would three statements be done and we only be allowed five minutes to respond to all three statements?

**The Speaker (Hon Alvin Curling):** If the members asked for it and the House leader wanted to do it, that's fine. But it was not asked for. I don't think it's a point of order.

Responses?

1420

### NURSES

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** It's regrettable that the government is shortchanging nurses this week.

It is with great pleasure that I rise today to recognize and pay tribute, on behalf of our party, to nurses in Ontario. This year's theme, "Honouring Nurses: A Team of Dedicated Professionals," is most fitting.

I want to begin by expressing our heartfelt appreciation to the nurses in the province. Many activities are planned this week, and I was very pleased to have had the opportunity to visit Mount Sinai Hospital earlier this week with Doris Grinspan to see first-hand the contributions that our nurses are making as they deliver care to patients. I could see first-hand their professionalism, their caring, their dedication and their commitment.

There is much to celebrate this week and throughout the entire year when we take a look at the role of nurses. They are valued and trusted by the public, and they work selflessly and tirelessly each day to care for those in their care. I've had many opportunities to work and see the contributions of our nurses.

I trust that the government will build on the strong foundation that we have put in place by responding to the nursing task force, investing almost \$400 million, introducing nurse practitioners and creating about 12,000 new nursing positions. I can assure the government that we will hold them to their promise to hire 8,000 more nurses and increase the number working full-time. It is my sincere hope that this government will move forward to build on the foundation we put in place to ensure that our nurses have a safe, healthy and satisfying work environment.

### WATER QUALITY

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** It's another day and another announcement of a moratorium

from this Liberal government: in this case, the deadline extension on small, privately run water systems. How much weight do these moratoriums carry? We recently became aware of the moratorium on school closures, and again, we know that's not going to stop boards from closing rural schools.

The question is, will today's announcement address the real problem? The real problem is the cost of this regulation, the cost of compliance for Ontario's small, privately run water systems. I guess that raises the question: Will we see some funding for the small water works in the budget next week? If I had more time, I would expound on that further.

## TOURISM

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** I'm pleased to respond to the statement by the Minister of Tourism and Recreation. We're very pleased on this side of the House, too, to hear of recovery in the tourism business, which had begun under the SARS recovery program instituted by the previous government.

When you talk about revenue and job losses in the tourism industry, and they're talking about 28,000 workers laid off, that reverberates throughout the entire economy and has a very damaging effect in an industry that has a half million people employed both directly and indirectly.

I have some concerns about the tax policies of this government and what we might expect to see in the upcoming budget, how that might undo all the positive things that have happened to the tourism industry and how that might affect us down the road. So I do ask the minister to make sure that he is getting his points across to the finance minister, that the tourism industry cannot see increases in taxes, because we'll lose the gains that we're trying to make. It's a struggling industry, and we have to make sure that we do everything we can to help it recover, and not only in the GTA, as we have indicated, but across Ontario where certain sectors of the tourism industry have not had the support that is necessary. I would like to see some increase in that regard as well.

We are looking forward to working with the ministry and the minister, and also with the stakeholder groups across Ontario, to revitalize this industry and to make it an important cog in the economic wheel—it is an important cog, but to regain that tremendous prominence that it should have in the economy of Ontario, because we will all benefit because of that.

## NURSES

**Ms Shelley Martel (Nickel Belt):** It's a pleasure for me, on behalf of New Democrats, to salute Ontario nurses during Nursing Week, because we know that Ontario nurses work in a variety of settings across the province. They are working in wards in ER departments, in cardiac care and in neonatal care. They're working in homes to provide home care to the ill and the elderly.

They're working in public health units and community health centres as part of a team to deliver health promotion and illness prevention. They're working in long-term-care facilities, supporting some of Ontario's most frail and vulnerable clients. Ontario's nurses are an integral part of the health care system, and we rely on their compassion, their dedication, and their training every day. So it's in that context that I want to review the Ontario Liberal election platform with respect to nurses.

First of all, the promise to hire 8,000 new nurses: I don't know whether or not the minister's announcement yesterday to hire 600 more new nurses in long-term-care facilities is part of that 8,000. More importantly, I don't know how he's going to deliver on that promise.

The former government made an announcement of \$100 million for long-term-care facilities in July 2002, promised 2,400 new nurses and personal support workers, and a year later, after the ministry did a survey of where that money went, we discovered that only 1,700 new people were actually hired. So the minister's got to have a very concrete plan of where that money goes and to ensure it's not going into WSIB and long-term disability benefits and everything else.

Also, we are waiting for the response of the 600 announced yesterday as part of the 8,000 commitment. Where is the balance of the funding to support the 7,400 other nursing positions that were promised by this government?

Secondly, let me look at the promise about 70% of RNs working full time. The initial announcement only targeted \$25 million, and that was for large hospitals with budgets of over \$100 million. Now I know the minister got lobbied by a number of small hospitals—they represent the majority of hospitals in the province—for their share of funding too.

I just want to read this: "Needless to say, I was extremely disappointed to hear that the \$50 million went to hospitals with budgets in excess of \$100 million—32 out of 159 hospitals. There was some suggestion that the rationale around the decision was based on the assumption that only hospitals of that size could manage to hire the nurses into positions before the end of the fiscal year. I had already made it clear that we have 28 nurses graduating from our local nursing program, 75% of whom are looking for full-time work...." That was sent to the minister by Lesley Brown of Lake of the Woods District Hospital in Kenora. I think it was as a result of those kinds of letters that the ministry finally moved to provide money to the smaller hospitals.

A couple more commitments: The ministry said they were going to hire more nurse practitioners. There's been no announcement about that. The ministry was going to invest in long-term care. There's been no announcement of funding for home care. The government announced that they were going to fund 150 new family health centres. There's been no announcement for the expansion of or new community health centres. What the government did do was cancel the free tuition plan for nurses—

something that could have worked to attract and retain some of those new graduates who are coming out.

### WATER QUALITY

**Ms Marilyn Churley (Toronto-Danforth):** To the Minister of the Environment: Your announcement today to undertake a review of regulation 170 will be welcomed by all those who have been unable to comply, but let me say to you that what you should have been doing today is announcing the resources they needed to comply.

In part II of the Walkerton inquiry, page 476, recommendation 84, Justice O'Connor makes it clear that those types of water works need provincial resources. He says, "Situations requiring subsidies should be dealt with as the need arises, rather than cause a departure from the high standards of drinking water safety." No matter what you do with this regulation, they are going to need some resources.

But what I'm really alarmed about today is that you're announcing the review of this regulation when I and others have raised in the media a concern about regulation 903. That is the regulation that oversees our wells across this province. It's been described as deficient and virtually unenforceable as drafted. I've asked you a question in the House to see if you consulted with your own expert on this, and you didn't answer the question. This is a flawed and very dangerous regulation that desperately needs to be reviewed. You turned down the Canadian Environmental Law Association's request to have a review. The reasons did not make any sense whatsoever. So I'm demanding that that regulation be reviewed as well.

### TOURISM

**Mr Peter Kormos (Niagara Centre):** If you're really serious about tourism, I say to this government, you're going to do something about the skyrocketing gasoline prices, because if those skyrocketing gasoline prices aren't brought under control by this government utilizing its jurisdiction to regulate those prices, the only thing noteworthy about this tourist season is going to be the number of small business bankruptcies in the tourism sector. So I say to the minister, he is senior member of his cabinet. Come next Wednesday morning, go into that cabinet room, knock some heads if need be, tell your government to pass Gilles Bisson's Bill 74, which will roll back, freeze gasoline prices. You'll do more for tourism by doing that than any number of meetings and consultations that you say you're going to conduct.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** Mr Speaker, I believe we have unanimous consent for each of the three parties to speak for up to five minutes on Community Living Day.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent as requested by the government House leader for each of the parties to speak for five minutes? Agreed.

1430

### COMMUNITY LIVING DAY

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I rise in the House today to speak in recognition of Community Living Day in the Legislature. I am very proud to welcome member organizations of Community Living Ontario who are here in the galleries and in the chamber today. I want to say that there are guests who have travelled from far and wide to be with us, and we welcome you.

For over 50 years, the community living movement has made huge differences for us in our own communities. You've been a source of tremendous support for tens of thousands of individuals with a developmental disability. The developmental services sector and the people it helps have come a very long way because of your vision, your spirit and your caring nature. You have played a major role in helping to change the public's attitude toward people with a developmental disability, and you are to be applauded for that. Because of your efforts, Ontarians recognize and value the gifts and contributions that people with a developmental disability can bring to us.

You've done a tremendous job of supporting inclusion at the community level with projects such as the Appetite for Awareness campaign, in which I was proud to participate last week, where Jane Brickmore brought me a Subway sandwich, I'm happy to report to the Minister of Health—a very healthy lunch as well—and in that way could bring to communities the notion that every one of us should be living together in harmony.

Your work is important and the government recognizes that. To quote the Premier, "For us to realize our full potential as a province, we need to ensure that all Ontarians can reach their full potential as individuals."

We've come a long way in the last 50 years. We need a comprehensive plan to move forward in our future, not just another five-year plan, but let's look forward another 25 years.

Much like the document Challenges and Opportunities gave us the blueprint that pushed us forward and was used from the mid-1980s until today, we need that kind of vision to move us into the future; long-term solutions for sustainable services that don't need to rely on politics to make it happen so that when we look back, we can say, "We've moved mountains yet again."

An old Chinese proverb says, "The longest journey starts with one step," and in this first month we've taken some good first steps. We've expanded the range of supports and services available to adults with a developmental disability. We've launched two video-conferencing pilot projects, one in southwestern Ontario and one in northwestern Ontario, to bring specialized clinical services to remote and rural Ontario. We're creating much-needed housing to help adults with a developmental disability lead more independent lives. And we recently

signed a new federal agreement so we can have more resources from the federal government in the area of employment support. We are pleased with that new agreement that brings more services to us in Ontario.

That's a good start, but the time has come for us to take another leap forward to more inclusivity. To do this, our government and our communities have to make important and strategic investments to get the results we want. We have to look at examples from the communities that work with people with disabilities. Sometimes they do have the answers for us, and I will be encouraged to be working with people in our communities to develop those answers.

I would like to reference connectability today. Community Living Toronto have put together an interactive Web site. It's actually a virtual community of services available for people with disabilities so they can access services better, more easily, with everything that you can imagine, to be more useful to individuals with a disability, and I congratulate them on that kind of innovation.

Our plan has to be guided by principles of fairness and equity and, on that, we also need to have shared responsibility and long-term sustainability. We know we're going to have challenges; we know a huge deficit is one of them. I believe that we can move forward. I believe that while we'll live within our means as a government, we will provide sustainable services. Together, we're going to figure out how to do that.

It must be done, because we insist that by making our communities stronger and more inclusive, we can give all Ontarians a quality of life that is second to none. May I say also that I would like to ask Jane Brickmore for her autograph on this photo that we took together during Appetite for Awareness.

**The Speaker (Hon Alvin Curling): Responses?**

**Mr Cameron Jackson (Burlington):** I'm very pleased, on behalf of our caucus and all members of the House, to comment briefly on the 50th anniversary of Community Living Ontario.

My earliest image of persons with intellectual disabilities was one shared with me by my mother—I was told this story when I was very young. She grew up in the north end of Winnipeg, Manitoba, in one of the poorest districts of that community. There was a young boy who was intellectually handicapped; in fact, his younger brother was Terry Sawchuk, the famous goalie. This boy had been chained to a tree in the backyard. That was the level of care he was receiving.

I never really overcame that image, and I'm sure many members of this House have similar stories and images that remain with them for their entire life. So I'm pleased today to commend the association for its compassion and enlightenment over the last 50 years in understanding that there is misunderstanding and ignorance that still exist in a society that fails to recognize that all citizens have equal rights and opportunities.

For me personally, it's a fundamental part of my volunteer life as a private citizen in this province. For 31

and a half years I have been an active, card-carrying, dues-paying member of the Burlington Association for the Intellectually Handicapped and worked with them as they went through three different name changes until they settled on Community Living. I support that, because it really is the principle we must aspire to for these people.

All governments have made attempts in the last few years to improve the quality of life for our citizens who are intellectually handicapped. But, frankly, we know there is so much more to be done. In the last election, all three political parties campaigned on the principle that they were committed to increasing funding for disabled individuals through the Ontario disability support program. I'm sure all members of the House are hopeful that there will be some good news for these individuals in the budget next week.

There is more that can be done in terms of working with the federal government, not just on employment opportunities but also on income support, housing and a whole range of other supports that are required on the agenda for change and for improving quality of life. We know that we still have three schedule 1 institutions in this province: the southwest regional centre, the Rideau and Huronia. We know that every government has made a commitment to deinstitutionalization, and yet we find out now that new admissions are occurring in these residences. We need to know there is a commitment on the part of this government. Maybe it's too early, but we would like an early signal. I know I speak for the association: They would like some assurances.

The association, on behalf of the people they care about, is looking for a new policy framework for citizenship, to take it from the old social welfare program and move it more toward a citizenship and empowering model. After all, those who have become accustomed to working with persons with intellectual disabilities have soon learned that these people are not really disabled; they are just differently able. Society should recognize that, and our laws should reflect it. We should be demanding, as a province, and provide the leadership to demand that we have a national framework and a federal charter of support for a national disability act. Ontario is one of the few provinces that has one, and I acknowledge that the government is currently reviewing our act, but we still need to press upon the federal government.

**1440**

It goes without saying that there are tremendous pioneers who have supported this movement, and I would be remiss if I didn't acknowledge Patrick Worth and Peter Park, whom many of the veteran members of this House would remember, who started People First. We are joined in the House today by Keith Powell, the executive director, by Garry Cooke, the current president, and by Claude Sauvé, who is a client advocate. We acknowledge their extraordinary efforts.

Finally, I would like to commend the association, the devoted staff, the volunteers, the enlightened employers and the caring families for their devotion to a single

profound principle that we should all be supporting, and that is full inclusion for people who are identified as having an intellectual disability. That should be in all aspects of living in the province of Ontario.

**Mr Michael Prue (Beaches-East York):** It is indeed a pleasure and an honour for me to rise on behalf of the New Democratic Party to talk about Community Living Day.

It is within all of our collective lifetimes, and we probably all in this room remember, when people with disabilities ended up in institutions. It is only in the last 25 or 30 years or so that we have recognized what a waste of people's lives that was, a waste where they spent their lives away from their families, where they never realized their true potential, where they never had families or loved ones of their own, where they were literally kept in an institution and never saw the outside of that institution for their entire lives. Those who were lucky enough not to be institutionalized, of course, lived with their families. They lived at home, but they too had their problems, particularly when the mothers and fathers, the parents, and the siblings as well, grew older and were unable to care for them. We had nothing, really, as a society and we should have had so much more.

Thankfully, we now live in more enlightened times. Since 1987, we have seen a number of institutions, 15 out of the 18, shut down. We have seen people deinstitutionalized; we have seen them brought into our community. We know there are still three institutions, and other speakers have spoken to that. They need to be shut down and they need to be closed now.

To close them now, though, this government must do a couple of important things. Number one is that we need to build supportive housing. We need that supportive housing in a desperate way. None has been built for years, absolutely none. I will tell you that this government has promised to build 6,000 units of affordable housing over the next four years and none has been built yet. I'm waiting and I think the entire community is waiting for these to be built. This is the single greatest determinant of health for people with intellectual disability. If they can get supportive housing, they can make it in our community.

I think of some of the people in my own community of Beaches-East York and what they have done so brilliantly. I think about the Pegasus Project, which provides opportunities for those who are challenged, entertainment opportunities mostly, in the Beaches community. I think about the "three guys" initiative at O'Connor and St Clair, where three young men live together in a sort of co-op, in one apartment, and are able to look after themselves. I think about a wonderful group called Lemon and Allspice, which is providing jobs in the catering industry for those with intellectual challenges. I think about a group called the Dream Team, who provide jobs for those who go out and deliver messages and pamphlets, and who do just a tremendous job advocating on behalf of those people. And particularly, I think about an individual by the name of Martin

Levine, who tells a harrowing story of being institutionalized throughout most of his life, only to be released from the institution. He today has a job and a wife and an apartment and looks after himself. It is proof that Community Living can deliver the goods. I think about the Salvation Army home for older adults that exists in East York, on Broadview Avenue, and the wonderful job they have done. They have given back lives and independence and jobs and marriage and a sense of community.

What this government needs to do most of all, though, apart from the houses, is to raise the rates of ODSP payments. They have been viciously, and I would put that word very strongly, frozen since 1993. It is now at a maximum of \$930. For those who live in the greater Toronto area, the average apartment is \$890, leaving them a scant \$40 a month to buy food, transportation and clothes. It cannot be done.

We know that \$930 has not matched the cost of living and in fact has fallen 18% over the past 10 years. We know they have got absolutely nothing. Every single person on ODSP payments in this province lives below the poverty level, no matter where they live. We know their earnings are simply not keeping up, and we know that even when they're able to get small jobs outside, that is clawed back. That is disgraceful.

**Interjection:** Real jobs.

**Mr Prue:** Yes, real jobs. We know that those who work in the service have not been kept up with their money.

Next Tuesday is budget day, and we need to know five things from this government: Will you raise the rates, will you build new housing, will you stop starving the social service agencies, will you close the remaining institutions, and will you allow these people to be inclusive in our province? If you do, you can look—

**The Speaker:** Thank you.

#### COMMUNITY LIVING BADGE

**Mr Cameron Jackson (Burlington):** On a point of order, Mr Speaker: I would ask for unanimous consent that members be allowed to wear the Living Life, Living Proof community living badge today.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent to wear the button? Agreed.

#### ORAL QUESTIONS

#### SEX OFFENDER REGISTRY

**Mr Ernie Eves (Leader of the Opposition):** This question is to the acting Premier for the day. Today, when many are remembering Holly Jones, I'd like to ask how your government can justify not proceeding with the necessary funding—some \$700,000 of expenditure—to assist Toronto Police Services in tracking sexual

predators, when you have \$500,000 to invest in pre-budget focus groups?

**Hon George Smitherman (Minister of Health and Long-Term Care):** To the Attorney General.

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I say to the leader of the official opposition, you're operating with some bad information. Part of this is a victims' justice fund issue, which is within my ministry, and it goes without saying that that particular local project, as the minister said today, is part of a more comprehensive project. As to the part that affects that community and comes out of the victims' justice fund, of course the government will be providing that funding. Of course we will.

I want to permit the minister to talk further about what the sex offender registry is doing, but I guess my question is: Who said that we weren't?

**The Speaker (Hon Alvin Curling):** Supplementary?

**Mr Robert W. Runciman (Leeds-Grenville):** Chief Julian Fantino says you weren't doing it—he's quoted in the Toronto Sun today—and is hoping that you will do it. After almost seven months in office, you haven't flowed that money. The promises made, not just to the Jones family but to all the neighbourhoods of Toronto, to track serial predators when they're on the Ontario registry—the only sexual offender registry in Canada, I might add; we've been counting on your federal cousins to do it for 12 years and they haven't done a damned thing. It's still not up and running.

Why have you not committed that money? After seven months in office, why is that money not flowing? Why is that project not up and running?

*Interjections.*

**The Speaker:** Order. Could we please temper our language a bit?

The Attorney General.

**Hon Mr Bryant:** The Minister for Community Safety.

**Hon Monte Kwitter (Minister of Community Safety and Correctional Services):** I'd like to take this opportunity to set the record straight. When the former minister announced that he was going to provide \$700,000 to provide compliance with the Ontario sex registry act, he could not get that funding from his own colleagues. The money was never given. He tried to get it out of the—

**Mr Eves:** Talk about getting your facts wrong.

1450

**Hon Mr Kwitter:** Well, let me tell you: He tried to get it out of the victims' justice fund and couldn't get it. They were going to get the money; they couldn't get it. But I should tell you, and this is important to know, that at the present time the Ontario—

**Mr Eves:** That's not true. August 6, 2003.

**Hon Mr Kwitter:** It has never, ever been flowed. Never. And I want to tell you this: The sex registry offenders act is complied with in Toronto at 96%—96% compliance. So to suggest that this money is not doing the job, I will tell you this: We will make a commitment

to make sure that we get as close to 100% as we can. But for you to suggest that we are remiss when you did nothing—you did absolutely nothing. All you did is what you always do: You make an announcement and forget about it. That's all that has ever happened.

**Mr Runciman:** That minister should be embarrassed and ashamed. He should actually stand up and resign from office. No government did more in terms of approving law and order in Ontario than the Harris-Eves government. We set up Canada's first sex offender registry. The money for this fund was approved in cabinet on August 6. The money was approved. Every police officer in Toronto, from Fantino down to the cop on the beat, knows that if the Conservatives were in government today, that program would be up and running and Toronto communities would be much safer than they are today. You're not doing this. Are you saying the program isn't justifiable? You've been in office seven months. When are you going to do something?

**Hon Mr Kwitter:** I'll have you know that I just left Chief Fantino. He confirmed to me that he did not make any comments that objected to what was happening. You should also know that you had up until the time that this government changed hands to flow that money. You never did. You didn't do it. So what was the whole problem?

*Interjections.*

**Hon Mr Kwitter:** This was your commitment and you didn't follow through on it. All you did was make announcements so you could show that you were trying to do something. You did nothing. You did nothing, which is your standard modus operandi—issue a press release but do nothing about it.

**The Speaker:** That was the end of the first lead—

*Interjections.*

**The Speaker:** Order. This should be a new question, and I'd ask that members direct their questions to the Chair.

#### PREMIER'S ANNOUNCEMENT

**Mr Ernie Eves (Leader of the Opposition):** I have a new question, and I'd like to refer this question as well to the Acting Premier.

Yesterday, an official in the Premier's office was quoted as saying that an executive from one of the four major networks approached the Premier's office asking if they wanted free time for an historic announcement relating to budgetary matters. Interestingly enough, none of the four major networks can identify anybody in their employ or in their executive who actually made this request. Could you please enlighten us today as to exactly who, from what network, talked to exactly whom in the Premier's office in making this request, or will you stand up in your place and admit that this was actually a little thing started by the Premier's office?

**Hon George Smitherman (Minister of Health and Long-Term Care):** What I'm not going to do is stand in my place and get involved in a game of pointing fingers

and who said what, and I'm certainly not going to get into a game of uninformed speculation. It strikes me that what has occurred has been put on the public record.

The fact of the matter is that as a government we're focused on our budget on Tuesday. I would invite the honourable member to pay close attention on May 18 at 4 o'clock to see a government acting on its priorities, which is to repair the damage done by his record when he was in government and enhance the quality of public services in Ontario.

**The Speaker (Hon Alvin Curling):** Supplementary, the member for Nepean-Carleton.

**Mr John R. Baird (Nepean-Carleton):** They told us to show up here at 4 o'clock on the 18th, but what were they trying to do on the evening of the 17th? They got caught trying to grease the skids of public opinion. They got caught trying to manipulate the public into believing they were keeping their campaign promises. The reality is that the TV executives think your Premier has no credibility and wouldn't give him the free air time. They've given every Premier free air time over the years except for this one.

Mr Acting Premier, let's be honest. The truth is that you didn't need television to break the news on your budget. You needed television to break your campaign promises not to raise taxes. Will you now admit that there was no way you ever intended to keep the lid on taxes, that you intended to raise taxes right from the beginning on the people of Ontario?

**Hon Mr Smitherman:** It's fascinating to hear him use a phrase like "grease the skids" when he's from the political party that took the budget out of the Legislature of Ontario and put it on television in an automobile manufacturing plant.

With respect to the situation we encounter in this province, it's getting just a little bit thin to hear from that side, from the gang that squandered one of the greatest economic expansions around and left the books in crappy shape, lousy shape, shape that should embarrass us: a \$5.6-billion deficit and a further \$2.2 billion in unpaid bills like in hospitals. With all due respect, we are a government that's going to move forward on the commitments we took to the people of the province, to reaffirm our commitment to public medicare, to enhance the quality of our health care and to deliver on our promises to do what you didn't do, which is improve the quality of education in Ontario.

**Mr Baird:** The reality is that the Liberals got caught and the television executives wouldn't give them their free time. They wanted to announce their budget on prime time television with the Premier in some sort of fireside chat, but it's this Premier who got burned.

Let's look at some of the facts. This gang of wild spenders told the people of Ontario they could have it all: more money for health care, more money for education, more money for everyone and bringing in a balanced budget, all at the same time as holding the line on taxes. This Premier went on television on September 23 and looked every Ontario family in the eye and said, "We

won't raise your taxes by one single penny." That's the real outrage. That's the real disgrace. That's what's in the budget, not where the budget's being announced.

**The Speaker:** Question.

**Mr Baird:** Would the Acting Premier stand in his place and commit to the people of Ontario to a full and open referendum so that the people of Ontario can approve this wild tax hike that's on the verge of being inflicted on them?

**Hon Mr Smitherman:** I remember a certain province-wide referendum that occurred on October 2, and one of the issues that was at play in the middle of that referendum was the false claim by that political party while in government that they would balance the budget. The member from Nepean-Carleton uses the word "burned." You know who was burned? The people of Ontario were burned: burned by your squandering of economic expansion, burned by untrue information about a \$5.6-billion deficit, and certainly burned by the fact they left a further \$2.2 billion of unpaid bills in places like our hospitals. That's who got burned. Burned by them were the Ontario taxpayers, but we're going to reaffirm our commitment to restore the quality of public health care and public education in this province. Tuesday, 4 o'clock: Be there.

1500

## GASOLINE PRICES

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Acting Premier. Across Ontario, consumers are being gouged at the gas pumps. Before the election, Liberals were everywhere advocating gas price controls. Suddenly, now that you're government, you've gone into hiding. You claim there's nothing you can do. You've forgotten your own history. In the summer of 1975 consumers were being gouged by soaring gas prices. The Premier then, Bill Davis, didn't run and hide. He came into this very Legislature and froze gas prices for 90 days. The question is, will you follow the lead of Bill Davis? Will you protect consumers?

**The Speaker (Hon Alvin Curling):** Question.

**Mr Hampton:** Will you pass your own bill, the keep your promises at the pump bill? Will you do that, Minister?

**Hon George Smitherman (Minister of Health and Long-Term Care):** Mr Speaker, to the Minister of Energy.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** Earlier today, the price of gasoline was about 90.4 cents in the greater Toronto area, with similar price increases in Montreal, Vancouver, throughout the United States and around Western Europe. The gas price is a very serious issue. I've met with some representatives of the oil industry. We are concerned about the price and its impact on the overall economy.

A number of members on all sides of the House have introduced bills designed to reflect the opinions of their constituents. Their constituents are very angry about the

price of gas, as are we. This is a serious matter that is affecting the entire economy, and our view is that we share the concerns of the members opposite and those who have introduced bills. We want to be certain that any action this government or any other government takes moves the file forward and doesn't do more harm to the economy than is being done by the international price of oil.

*Interjections.*

**The Speaker:** Order. I'm going to ask the member for Nepean-Carleton to stop shouting across. I'm having difficulty hearing the question and the answer.

The member for Kenora-Rainy River.

**Mr Hampton:** If the Liberals would stop whining and wailing, you might be able to hear the question and the answer.

Minister, your refusal to protect consumers is just another broken Liberal promise. Before the election, Liberals were everywhere. Rick Bartolucci, Bill 32: roll back gas prices. Bill 16, Mr Bradley, now Minister of Tourism: gas prices. Bill 58, Mr Crozier: gas prices. Bill 44, Mr Colle: gas price watchdog. Bill 163: Crozier again. Bill 33, Mr Gravelle: gas price watchdog. Bill 60: another Liberal promise.

There is nothing stopping you from acting. When you were in opposition, you were listening to the consumers. Now you're listening to big oil. It was done in 1975. Will you finally keep your own promises? All we're asking you to do is pass your own bill.

**Hon Mr Duncan:** I had an opportunity to study the Davis price freeze of 1975, and that price freeze lasted 90 days. Subsequent to that, gas prices spiked again.

There's a very different climate today. The views of the experts I've consulted indicate to me that putting a freeze on today would in fact raise the price of gasoline, resultant from the provisions of NAFTA that would not allow us to prevent the export of our supplies. So taking that course of action would hamper our economy. It would, in fact, over the long term, and in the short term, raise gas prices again.

The solutions that the member opposite has put forward are inconsistent with what he did when he was in government, which shouldn't surprise anyone. The NDP energy ministers in 1991 and 1992, the Honourable Brian Charlton and the Honourable Jenny Carter, refused to do anything. I think the one thing we don't want to do—

**The Speaker:** Order. New question.

**Mr Hampton:** The difference is, New Democrats didn't go around the province before the election promising we'd reduce gas prices.

#### SALES TAX HARMONIZATION

**Mr Howard Hampton (Kenora-Rainy River):** Acting Premier, every time Ontarians turn around, they're being told by your government to pay more. You promised to freeze hydro rates. Now you say, "Pay more." You wanted to tax meals that cost less than \$4. Now you're talking about harmonizing the provincial

sales tax with the GST. What that means is that hard-working people would have to pay taxes on their electricity bill, provincial sales tax on gasoline, on natural gas, on children's clothing, on children's footwear. I want to ask you straight out, Minister: Will you rule out, here and now, that in this budget you will make any move toward harmonizing the PST with the GST and, in that, raising taxes on dozens of items?

**Hon George Smitherman (Minister of Health and Long-Term Care):** What I'm not going to do is get involved in the uninformed speculation that is the heart and soul of that member's work. We are, as a government, working toward our budget. We're very excited about this coming Tuesday at 4 o'clock. I recommend that the member pay full attention on that day.

I'll give you a glimpse into what you'll see, and it's not hard to figure out because it's consistent with what we've been doing as a government: delivering our commitments to enhance the quality of public services in Ontario with the kinds of announcements I had the honour of providing yesterday on behalf of our government, with a \$191-million reinvestment in our existing long-term-care facilities. Our budget is about re-establishing confidence in the public among those chief public services like health care and education.

**Mr Hampton:** They tell you that you should watch someone's body language, and what I saw from the Acting Premier was, "This is a problem." You're darn right it's a problem. If you're talking about delisting the health care services of optometrists and chiropractors, that's going to cost people money. If you make any move to harmonize the provincial sales tax with the GST, that is going to cost people all kinds of money.

Minister, the one thing I don't hear you floating is a trial balloon. We know that under the Conservatives, the wealthiest people in Ontario got a 35% tax reduction. I don't hear any Liberal saying that those people need to make a greater contribution now. Why is it that you sound so much like the Conservatives? People on low incomes have to pay more. People on middle incomes have to pay more. Health care services are going to be delisted. Tell us now you're not going to do another Harris-Eves tax attack on the lowest- and modest-income people.

**Hon Mr Smitherman:** I didn't know until today how much interest the member had in my body. So here's my body language back to you, and hear it clearly from me. Our government, on Tuesday at 4 o'clock, will bring forward a budget which begins to do the reversal of what they did, which begins to treat our most vulnerable with the respect and the support they require, and which begins to make those crucial, necessary reinforcements, reinvestments in quality public services like health care and education.

I just want to encourage the honourable member opposite, who seems to be suffering from a little amnesia about the role he played while in government, not to be in such a hurry to suggest that the things they did are the solutions that we will move forward with.

## PROVINCIAL REFERENDUM

**Mr Frank Klees (Oak Ridges):** My question is to the Deputy Premier. I have it on fairly reliable sources that Elections Ontario officials have been asked to prepare for a referendum in the very near future. That being the case, that will either be a referendum for increased taxes so that you're not found to be offside with the Taxpayer Protection Act, or it has something to do with one other promise you made, and that has to do with electoral reform; namely, proportional representation, which may well be what you need to take some attention away from this budget that you'll be bringing in and all the tax increases there. Can you tell me and tell the House, first of all, have those instructions in fact been given to Elections Ontario? If so, why would you not have informed the House?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I know the honourable member likes to talk often about the quality of his inside sources. We heard from the weatherman last week who has been speaking to him about those year-round snowstorms. I want to say to the honourable member that we're not interested in getting involved in the game that he's involved in, which is fuelling with speculation stories that may appeal to him.

Here's where we're at. We're but a few days away from the delivery of our budget. Our government looks forward to the opportunity to take to the people of Ontario our plan to transform health care, education and the quality of life in our communities. At 4 o'clock on May 18, the honourable member will have an opportunity, as will all of us, to be involved, hearing it right here in this Legislature. All I can say to the honourable member is that I recommend that he be here.

1510

**Mr Klees:** I certainly will be here at 4 o'clock, and I predict that you and I and every Ontarian will witness again some more broken promises from this government. It's interesting that when they raise trial balloons, that is consultation; when they're challenged with the truth, that's speculation.

The fact of the matter is, Elections Ontario has been given instructions to prepare for a referendum. Why will you not come clean on this issue and simply admit to the people of Ontario that you have in mind to increase taxes, which will be a direct breaking of your promises to the people of Ontario? Why won't you just tell the people of Ontario what it is you have in mind for them?

**Hon Mr Smitherman:** In my earlier answer, I said that the honourable member was speculating. The fact of the matter is, I think he's just making stuff up.

He talked about broken promises. This from the party—I remember Mike Harris: "It is not our plan to close hospitals." Remember that one? How about the party, even at Magna, that stood up and said they were going to bring in a balanced budget, only to find upon evaluation that not only was it \$5.6 billion, but they'd stuffed another \$2.2 billion worth of pressure in the balance sheets of hospitals and of other community-based

agencies. That's his record. He wants to project it on to us.

All I can say in response is that on the 18th at 4 o'clock, in this very place, this government will put forward its plan for the transformation of public services in Ontario. We on this side and our loyal friends opposite in the middle there are pleased that that's coming, and we're going to demonstrate—

*Interjections.*

**The Speaker (Hon Alvin Curling):** Order. New question.

## TOURISM

**Mr Kim Craitor (Niagara Falls):** My question is directed to the Minister of Tourism and Recreation. Your ministry has undertaken several initiatives to assist the beleaguered tourism industry and aid it in its recovery from last year. In my riding of Niagara Falls, my constituents are asking me whether the investments made by your ministry are starting to yield results. Minister, are we starting to turn the corner on the downturn seen last year in the tourism industry?

**Hon James J. Bradley (Minister of Tourism and Recreation):** A very good question and a very important industry. As the member will remember, last spring, unfortunately, SARS struck Toronto, and it was really difficult for the whole province when that happened. The worst months were April through August. Through no fault of anybody around here, it happened, and it made for difficult times. But starting in mid-April this year, we began to see some early positive signs which are encouraging to me at this time.

I mentioned earlier today that hotel occupancy rates in Toronto, for instance, in one of the weeks in the month of April, were up some 180%, and 50% in room rentals around the GTA. These are positive signs, but I don't see that it's a complete recovery at this time, because some motel and resort operators in the north and elsewhere will only say they're cautiously optimistic. But I'll tell you something: By all of us working together—private industry, the government and all the partners—we're starting to turn the corner in this industry.

**Mr Craitor:** Thank you, Minister. I'm pleased to hear that you're investing in relationships with the tourism industry. It's crucial that the government demonstrate its commitment to this vital industry, and I'm glad to hear that the positive effects of your ministry investments are being felt. Are you confident that the entire province is starting to feel a positive upswing in tourism trade?

**Hon Mr Bradley:** As I say, I see some sparkles of light now in what were some pretty dark days as a result of last year. Let me say that in Niagara Falls, for instance, we're not yet seeing what I would call a clear pattern of improvement or recovery, from the hotel occupancy statistics we have. To combat this issue, we recently announced \$2.3 million in funding for Niagara Falls tourism, for television ads and newspaper inserts, as well as a \$3.5-million investment in a Toronto-Niagara

insert into the upscale US magazines read by some 40 million potential visitors. Other investments we've made have been yielding results. The Royal Ontario Museum is up 37% over last April. Signs are improving at the Shaw Festival. We've had some increased reservations there.

But it's premature to consider the crisis to be entirely over at this time, and I'm planning to meet in the future with people from the industry to get us back on track.

### SALES TAX HARMONIZATION

**Mr Robert W. Runciman (Leeds-Grenville):** I have a question for the Acting Premier. I'll admit off the top that it is speculation. The Liberal government doesn't do very well at keeping promises, but they do very well indeed at scaring people. I'm not talking about your body, Minister, but I am talking about the stories circulating about the plan to harmonize the PST and the GST.

I hope that you and your government recognize the implications for the housing industry in this province. We're talking about a significant increase in the cost of housing. The average home is \$300,000. If you go through with harmonization, that could mean an additional \$24,000 added to that cost. It's going to impact on young people hoping for first-time ownership. Will you assure the House and people across this province that this will not be a part of next Tuesday's budget?

**Hon George Smitherman (Minister of Health and Long-Term Care):** It strikes me that in the last 29 minutes and 35 seconds I've had a chance to give the same answer a whole bunch of times. I'm happy to give it one more time. We're not going to get involved in that kind of uninformed speculation, which the honourable member himself admits he's asking. He could have saved us all 50 seconds in question period.

What I will say is what I've said to other members. Come on Tuesday, 4 o'clock, and I promise you that our government is going to move forward with the things we committed on to the people of Ontario, namely, to enhance the quality of public services in this province, focusing on health care, education and the quality of life in our communities.

**Mr Runciman:** Unhelpful answers are the heart and soul of that minister's world. I want to make sure that the Acting Premier and his cabinet colleagues, let alone his backbench colleagues, understand the implications of what happens if indeed you move ahead with this initiative to harmonize the PST and the GST. We're talking about approximately 340,000 jobs in the province that are dependent on this industry. You're going to make this industry go from being the biggest, most productive sector of Ontario's economy to being the least productive overnight if you move ahead with this initiative.

We're talking about \$19 billion in wages through this industry, \$34 billion in provincial GDP, and 450,000 jobs—I correct my record, 450,000 jobs. Once again, I ask you and implore you to give assurance to the people of Ontario today that you will not move ahead with this ill-thought-out initiative.

**Hon Mr Smitherman:** It seems to me, in answer to the honourable member's question, that when we were in opposition we got together in the morning for a question period meeting. They get together for a speculation period meeting. I just don't know if it's a healthy thing for all of you. I'd say instead that we're charged with the responsibility, on behalf of the people of Ontario, to come forward with our plan, to deliver on the commitments we made, keeping in mind the circumstances that member and his party left behind.

Here's what I can say for sure. We recognize the extraordinary benefits that accrue to Ontario by having a healthy industry. This is a critical and essential point of the work the Minister of Finance is doing. I assure you that on Tuesday afternoon at 4 o'clock, because you've confirmed to me that you'll be here, you'll see from our party, in government, a plan to move forward to enhance the quality of essential public services.

### ORGANIZED CRIME

**Mr Brad Duguid (Scarborough Centre):** My question's to the Minister of Community Safety and Correctional Services. I'm sure all members of the House are greatly concerned about safety in our streets. This morning we all heard media reports that Toronto, York and Durham police launched a number of raids across the GTA, early this morning, to target illegal guns and gang members. According to reports, a number of arrests were made. My question to the minister is, how did the Ministry of Community Safety and Correctional Services assist the Toronto Police Service, the Durham Regional Police Service and the York Regional Police Service in this recent crackdown on guns and gangs?

1520

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member for the question. I think all members will want to know that at 1:30 this afternoon I attended a press conference at police headquarters where we announced the largest gang action crackdown in the history of the Toronto Police Service: 65 members of the Malvern crew, as it's known, were arrested. Many hundreds of charges were laid. Drugs were confiscated. Arms were confiscated. It was a joint effort made up of various police forces, including the OPP. The OPP, through their weapons enforcement unit and their organized crime section, played a key role in this particular operation. I think all of us should congratulate the people who were involved in that particular operation because it is a major dent in the situation that we are suffering.

**Mr Duguid:** While the previous government talked tough on crime and did nothing about it, this government has already taken action. I'm pleased to see that, and pleased to hear the minister's response. We all know that the rise in gun violence in Toronto's streets in the last two years is unacceptable and requires action. Last year, shootings were responsible for almost half of all violent deaths in Toronto. All but two of 31 gun-related murders

were believed to be gang-related. We have to keep the justice system one step ahead of organized crime. We have to have an organized justice system to battle organized crime. The Attorney General has announced that he and his crown prosecutors are working with the Toronto police in setting up a special anti-guns and gangs unit. Can the minister verify that this important initiative was part of this operation?

**Hon Mr Kwinter:** I refer this to the Attorney General.

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** Yes, my officials have been working closely with the police on Project Impact. This is precisely the new approach that we are bringing to try to be more organized than organized crime and to try to tackle the guns-and-gangs crisis that we have here in the city of Toronto and across Ontario. We're having a dedicated prosecutor for this particular project. We had a dedicated prosecutor assigned to the project to assist police from the very beginning. They will also, of course, be taking the matter through the prosecution stage. In addition, we have these new crown/police task forces where the dedicated prosecutors, these experts, will be assigned and, from day one, will be working on this 24/7. It's a new approach and it's working.

#### HYDRO GENERATION

**Ms Marilyn Churley (Toronto-Danforth):** I have a question for the Minister of the Environment. Minister, today your Premier is in Washington to lecture the Americans about their coal-fired generating stations. While it is true that, no doubt about it, George Bush's plan to weaken pollution control should be vigorously opposed, the Premier would have much more credibility if the Liberal coal plan wasn't all smoke and mirrors.

I heard your own energy minister tell Bay Street that you won't be closing coal plants until you have replacements, but after six months in charge, your government has failed to get even one firm commitment to build new generation to replace the coal plants. Minister, your government is fiddling while coal burns. Why don't you level with Ontarians? Isn't your promise to close Ontario's coal plants becoming one more broken promise?

**Hon Leona Dombrowsky (Minister of the Environment):** The Minister of Energy would like to respond to this.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** Premier McGuinty is in Washington today doing the right thing, telling the Americans, "Don't loosen the regulations." There are 96 coal plants at various stages of development in the United States. We are downwind from 54 of them. That's why our Premier and this party and this government committed to closing our coal plants. We will make that commitment. That party, to lecture this government about environmental policy and about energy policy, ought to be ashamed. When you were the government, you shut down all conservation programs in 1992 and 1993. In January, your

leader sitting next to you compared one coal plant to the other, and said that one is good and one is bad. You've been all over the board. This government's clear. It's consistent. The Bush administration's wrong in reducing the regulations on coal, number one. Number two, the Americans are wrong—

**The Speaker (Hon Alvin Curling):** Thank you. Supplementary.

**Ms Churley:** You know, Minister, when the NDP was in government, we brought in more conservation and efficiency programs than any government before us, and when we left government, even with some stopped by Ontario Hydro, there were still more conservation programs in place than there are today. Check your facts before you say that again, Minister.

What I'm asking you is if you will still be keeping your commitment to close the coal plants by the year 2007. You are drastically short of real financial incentives to homeowners when it comes to conservation. You're relying too much on interval meters that you know will cost homeowners hundreds of dollars, and even though they contribute to a very small portion of what is needed, it doesn't even come close.

The Pembina Institute released a report yesterday saying conservation and efficiency are much cheaper than nuclear power. So I'm asking you today, will you invest \$18 billion between now and 2020 and go a long way toward solving Ontario's energy shortcomings, and will you commit again to close coal—

**The Speaker:** Thank you.

**Hon Mr Duncan:** We have committed already a quarter of a billion dollars to conservation, the largest in the history of the province. We are bringing in interval meters as part of a comprehensive plan to encourage conservation, which will include time-of-use rates, something you never did. Between 1993 and 1995, Ontario Hydro phased out all demand-side programs.

What else did they do? They shut down the Conawapa project; they cut it off. What did their leader at that time say? He said it was a good thing to do. Well, he was wrong. He was wrong then and they're wrong now. Their record doesn't even begin to stack up to this government's record on conservation, and we've been here for six months. Premier McGuinty is leading the way, not only in this jurisdiction but across Canada and, I would submit, in the western world, on making conservation part of our culture, part of our lives. We will do what you failed to do: make our energy cleaner and greener.

#### HEALTH CARE FUNDING

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** My question is for the Minister of Health. Minister, as you know, the month of May is Foot Health Awareness Month, and 80% of people in this province will experience a foot problem at some time in their lives. On average, over 60% of patients seen by podiatrists are seniors, and about half of those people suffer from diabetes. Many of the seniors are on fixed incomes, and

certainly, if they had to pay for this service, it would be quite difficult.

Minister, the question I have for you today is, will you commit that in the budget you will not eliminate OHIP funding for podiatry services?

**Hon George Smitherman (Minister of Health and Long-Term Care):** Consistent with the theme of the day, I'm not going to get involved in speculating around whatever is brought up on that side. I would say, in reference to the very important program the member opposite asks about, that we recognize how much important and crucial essential support it is providing to people in the situations that she outlines, including diabetics, our seniors and the like. So while I'm not involved in the kind of speculation that seems rampant over there, I can confirm to the member that I agree with her analysis about the importance of this program.

**Mrs Witmer:** This is from a minister who has responsibility for podiatry. Surely he could give me a simple no. In fact, if I take a look here at his ministry briefing notes from May 6, "Other OHIP Practitioners," question 6 says, "Are you also considering delisting podiatry services?" The answer is, "No. Podiatrists provide essential foot care to seniors and diabetics. The province spends about \$4.6 million on podiatry."

He couldn't even answer the question that's in his own briefing book. I am disappointed to tell you that these same briefing notes, when the question is to be asked about chiropractic and schedule 5 physiotherapy services, I'm afraid the people in this province are not given the same reassurance that OHIP funding will continue for these services. Minister, can you commit today that you will not delist chiropractic or schedule 5 physiotherapy services?

**Hon Mr Smitherman:** I'm always interested to get a stern rebuke and lecture from the former minister, but on this point I'm pretty consistent. I haven't been involved for months and months now, to all the media questions that have come and those that in the last few weeks have come in this House, in speculation about what will be and what will not be in the budget. I very clearly sent a signal that our budget will be about restoring confidence and quality in our health care system, rebuilding what they have diminished over their eight years in office.

All I can say is that as Minister of Health and a member of this government I'm excited about this coming Tuesday. I intend to spend an awful lot of time and energy travelling around our province to indicate the extent to which our government is committed to quality health care in Ontario.

1530

## HEALTHYONTARIO.COM

**Mr Mike Colle (Eglinton-Lawrence):** My question is to the Minister of Health and Long-Term Care. Minister, last week I had the pleasure of announcing to the House that your ministry's Web site, HealthyOntario.com, was one of five nominees for the eighth annual International

Webby Awards under the category of best government Web site in the world. Minister, do you have an update on the nomination? Did we win, and how well did we do?

**Mr John R. Baird (Nepean-Carleton):** Wow, you won a Webby.

**Hon George Smitherman (Minister of Health and Long-Term Care):** I think the member for Nepean-Carleton would be well served to spend just a minute or two surfing HealthyOntario.com. There he would find what 4.5 million people every month are finding, some of the best-quality and accessible information about health care known to the world.

The member opposite laughs about winning a Webby. But if you're in the business of marketing and providing information by Web sites, then you would know that this is like winning the Oscar. What I'm pleased to say, Mr Speaker, is that the Ontario government's health Web site, HealthyOntario.com has been voted the best government Web site in the whole wide world.

**The Speaker (Hon Alvin Curling):** Supplementary.

**Mr Colle:** All I can say is, I have no supplementary. Just log on to HealthyOntario.com.

## REMAND CENTRE IN PEMBROKE

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** My question today is for the Minister of Community, Safety and Correctional Services. Back in late March, you'll recall that myself and officials from the city of Pembroke, Mayor Jacyno and Councillor Shirley White, met with you to discuss the possible building of a remand centre in the city of Pembroke. At that time, you indicated to us there would be an announcement that the jail in the city would close. A couple of weeks later, in fact, that jail did close, and I've met with you personally since then. I've also communicated to you by mail. When can we get an answer with regard to the possibility of having a remand centre as per the proposal by the city of Pembroke, established in the city of Pembroke?

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** The member should know that the Pembroke jail is 136 years old and in 1998 the previous government decided to close it down. They did nothing about it. Five years went by without any closure of an announcement they had made in 1998.

During that period of time, the officials in the city of Pembroke submitted several proposals to the previous government as to what they wanted to do. They were all turned down. They didn't agree to any of them.

About five weeks ago, that member, with his mayor, came to see me with a proposal, and I said I would look at it. To assume that I would make a decision in five weeks when that government didn't make a decision in five years is silly. We are looking at it, and we will get back to you on that.

**Mr Yakabuski:** At that time, Mr Minister, you did indicate to us that we should expect an answer in about six weeks, so you've got a week.

However, with respect to that closure, the jail was closed under your watch. I want to tell you about something I read in the Ottawa Citizen this morning, where a judge in Ottawa granted credit for jail time, served at a three-for-one rate, to a man convicted of spousal abuse because of overcrowding and poor conditions at the Innes Road jail. One of the reasons we've got overcrowding at the Innes Road jail is because the Pembroke jail was shut down last month, so those prisoners are now being held in the Innes Road jail. We have a situation where it's coming back now; the chickens are coming home to roost. We indicated that there were going to be problems because of this closure, and there was no contingency plan in place. Now we're having problems. The legal—

**The Speaker (Hon Alvin Curling):** Thank you, Minister?

**Hon Mr Kwinter:** Mr Speaker, the member should know that, on average, there is ample accommodation in our correctional facilities in eastern Ontario. But because we have no control as to the number of people who are sent there—that is not our job; our job is to receive them, not to determine who goes there—from time to time there is an imbalance and there is some crowding. When that happens, we try to accommodate them; we try to shift people around. That's just good management. So to suggest that the prisoners who came out of Pembroke are creating a problem in the Ottawa-Carleton Detention Centre just isn't the case. What is really happening is that we are doing what we should be doing, and that is managing our facilities to the point where they're operating efficiently and economically and safely for the people who are in them.

#### SERVICES FOR THE DISABLED

**Ms Laurel C. Brotin (Etobicoke-Lakeshore):** My question is for the Minister of Community and Social Services. On April 26, I had the opportunity to meet some of the most amazing people in my community of Etobicoke-Lakeshore when I had an opportunity to sit down and spend the morning with Community Living Toronto. I listened to them and, most importantly, I learned from them. I learned from the challenges that they face in their lives. I learned from the experiences that they lived. I learned from their families. And I learned the hopes and dreams that they have for their future.

Minister, it's very important to me and to my community to know what our government is going to do to help these people and their families.

**Hon Sandra Pupatello (Minister of Community and Social Services, minister responsible for women's issues):** I can tell you that all of us in this House, I believe, members of all political parties, want to move forward with positive change for individuals who live with disabilities in our communities. Let me say that over many decades we have moved mountains to have inclusion in our communities for everyone, and I think

each government of the past needs to be applauded, frankly, for that.

We haven't gone far enough; that is true. Our government intends to move mountains still, and we're going to need help from our various communities to do that. I can tell you that in the time that we've been government, we have moved forward. We are building new places to live in communities so individuals can live with dignity in their communities. We have a long way to go, and we want to move this forward.

**Ms Brotin:** Thank you, Minister. One of the most poignant moments I had during the meeting was when they talked about their future: What would happen when their parents aged? What would happen, parents worried for their children, when they aged? How would they live with dignity, and how would they live independently in our communities? So it's very important, I think, that we look at how we can help them as their families are growing older, and how we as a society can look after these people and their future and try to make those futures less uncertain. I look forward to hearing what we might do to help these families with this most difficult circumstance.

**Hon Ms Pupatello:** I think it's important to note that we are engaging everyone who works with our friends with disabilities. I want to tell you that we intend to engage in some major discussions around serious issues about how we go forward in the future. There are major questions to be asked.

Some of the things that I remember the most in my stint here as an MPP was meeting aging parents of individuals with disabilities, whose questions are the same as those of the member for Etobicoke-Lakeshore: "What happens when I die? Who's going take care of my children?" There is nothing more heart-rending for any of us in the House who have had to watch an individual ask those questions. We have to be part of a government that helps with the answer.

We also have to help get our supports together so we make it easier for parents to access services, easier for individuals and families to have assessments made about what their true needs are, and we have to find a fair and equitable way to deliver those services.

1540

#### FREEDOM OF INFORMATION

**Mr Rosario Marchese (Trinity-Spadina):** My question is to the Chair of Management Board. I believe the public has a right to know what goes on behind closed doors at public institutions like universities. People shouldn't have to jump through hoops to find out from university administrators how public money is being spent. But that's exactly what is happening, because currently universities are not subject to the freedom of information act.

Minister, I suspect that's an oversight and that, as we speak, you're working to include Ontario universities under the freedom of information act. Is that correct?

**Hon Gerry Phillips (Chair of the Management Board of Cabinet):** At the time the provincial freedom

of information legislation was enacted, it was the expectation by the government of the day that universities would prepare their own freedom of information bylaws or regulations that would ensure that the public had a right to information in universities. We expected that to happen. We have asked universities to review that, and they are doing that right now.

The Minister of Training, Colleges and Universities and myself are also reviewing whether it is time that the province may have to amend its freedom of information legislation to include universities.

So we're doing both of those things. We are asking universities to review whether they have done what they said they would do at the time and whether it's satisfactory, but the Minister of Training, Colleges and Universities and I are also reviewing legislation that we may do provincially.

**Mr Marchese:** The problem is that nothing has happened in 17 years, and you're still hoping they might. The point is that we've got to do something. In December, your government opened the files of Hydro One and Ontario Power Generation, and I'm telling you the benefits of that are obvious. Universities receive about \$2 billion a year in public grants. That's a lot of money being spent with no public scrutiny whatsoever. Universities should be subject to the same scrutiny as government agencies and departments.

My question is, will you lift the veil of secrecy and bring universities under the freedom of information act, and do it now?

**Hon Mr Phillips:** Of course we'll lift whatever veil of secrecy that may still remain. You may very well be right: Perhaps the universities haven't acted appropriately, as you would like, for the last 15 years. The challenge is that we haven't been in power in the last 15 years.

We are acting. We have asked the universities now to review their policies, and I also repeat what I said earlier, that the Minister of Training, Colleges and Universities and I are reviewing it to determine whether we need to move forward provincially.

I would just remind us all that one of the very first things we did was amend the freedom of information act to ensure that colleges and universities are required to work with the Provincial Auditor for the first time. The Provincial Auditor will now have a chance to do value-for-money studies in our colleges and universities. That was one of the very first things we did. We're now moving on to the next step, which is to review our freedom of information act. We will do something that hadn't been done for 15 years: make sure there is freedom of information in our universities.

#### VOLUNTEER FIREFIGHTERS

**Mr Ted Arnott (Waterloo-Wellington):** My question is for the Minister of Community Safety, and it concerns double-hat firefighters: professional firefighters in Ontario who deserve the right to serve as volunteer

firefighters in their free time. As the minister is well aware, the firefighters' union has been forcing double-hatters to resign as volunteers. This has the effect of weakening volunteer fire departments across the province.

Six weeks ago today, the minister informed the House that he favoured the establishment of another mediation process to solve this issue. He has since repeated his statement that a structured mediation will be forthcoming. He has said this on a number of occasions in this House.

My Bill 52 provides an answer to this problem. When will the minister take concrete steps to protect double-hatter firefighters in the interests of community safety in Ontario?

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** I thank the member for the question. It's a question he's raised on several occasions in this House and in a previous House.

I find it interesting that he is still promoting his particular private member's bill. When he was on the government side, he couldn't even get his government to support his bill. So you have to understand that if it were an easy solution, it would be done.

In the meantime, I should tell you that just the other day I visited the annual meeting of the Ontario Association of Fire Chiefs. We discussed this issue. My concern and the concern of the chief fire marshal of Ontario is that community safety is the primary goal of what we're trying to do. We're trying to get to the point where no one is put at risk because of fire. That means we have to deal with this issue, and we are dealing with it. It is not simple, or it would have been resolved long ago, but I give you that commitment.

**The Speaker (Hon Alvin Curling):** Supplementary.

**Mr Jim Wilson (Simcoe-Grey):** For me and for many of the members on this side of the House, this issue boils down to a simple concept, and that's the concept of freedom. We here in a parliamentary democracy take an oath to protect and preserve that. The union, the Professional Fire Fighters Association, is taking away, through intimidation, the right of these volunteers to serve in their local fire brigades.

Minister, at the time that Mr Arnott brought forward his bill, there was a free vote in the House. You seem to have your history a little wrong—

*Interjections.*

**The Speaker:** Order. I'd like to hear the member for Simcoe-Grey. I'm hearing a lot of heckling coming from this side. Could the member for Simcoe-Grey state his question?

**Mr Wilson:** The overwhelming majority of people on the honourable member's side at that time voted in favour of that bill. Rather than criticizing him today, why don't you bring forward his bill? We'll have another free vote in the House, and let's do something to help preserve and protect freedom in this province rather than just talking about it. The union has now ended the moratorium. The intimidation is going to continue, and

you have a responsibility to do something. Call the bill forward and let's have a free vote.

**Hon Mr Kwinter:** We have in place in Ontario the fire marshal. He is monitoring the situation very, very carefully. If he determines that any citizen of Ontario is at risk because of what is happening with this particular issue, he will advise me as to what to do.

But just to clarify the situation, notwithstanding that this was a private member's bill, if you're the government and you want to get a bill passed, you have the ability to do it, notwithstanding what happens in the private members' hour. Obviously the government that you represented did not have an interest in getting that bill passed.

#### MINISTERS' STATEMENTS

**Ms Marilyn Churley (Toronto-Danforth):** I rise on a point of order, Mr Speaker, and I would refer you to standing order 35, particularly section (a), which reads, "A minister of the crown may make a short factual statement relating to government policy, ministry action or other similar matters of which the House should be informed." There's something about time allotments, and then (c) reads, "Two copies of each ministerial statement shall be delivered to the leaders of recognized opposition parties, or their representatives, at or before the time the statement is made in the House."

I rise on what I consider to be a very serious point of order. Today the Minister of the Environment delivered in advance a statement, which is most appropriate and which under the standing orders has to happen. I read it carefully and didn't perhaps hear the minister when she read something completely different. After reading the statement that was delivered to me, I made an assessment of that statement and then gave my opinion and remarks based on the statement that I had read from the minister. When I was making my statement, in fact, I was hearing howls of protest from the government members, saying, "Read the statement. What you're saying isn't correct. The minister said in her statement that she was doing" such and such a thing. In fact, I got a curt note from the minister suggesting that if I had read the statement, I wouldn't have said what I did.

**1550**

Well, I've now checked Hansard, and the statement that the minister read has an entirely different policy announcement in it, that is absolutely significant. I would not have given the same remarks that I did, had I known the true facts. The difference is quite significant, which is why I'm pointing it out.

In the minister's statement, through Instant Hansard, it says, "The advisory council will review all drinking water regulations in the province." The copy that I received said this: "The advisory council will look at a number of ways to protect water quality and improve standards. They will be asked to give advice on replacing the existing total coliform tests" etc. Further, it says, "The advisory council will provide advice related to

provincial drinking water standards." It goes on and on like that.

Nowhere in the statement that was delivered to me today was there any indication that this new advisory council would be asked to review all water standards, which had an impact on the way I responded to that minister's statement today. I demanded that the government also review 190, which it appears they're going to do. I would have made completely different remarks, a completely different response, had I had the true minister's statement in front of me.

Mr Speaker, I'd like your ruling on this. I have heard from some of my colleagues over the past few days, including the member for Nickel Belt, that they have a statement from the Minister of Health with different numbers in it, as I understand, that she didn't have access to. I believe this is very serious. I believe the spirit, in fact not just the spirit, but the rule of the law here under our standing orders is that we be given the exact statement that the minister is going to make.

Today was particularly serious, because I read that statement and responded in such a way as was indicated by the statement that I received. If the minister is correct in her statement, which is the right one? We have to clear up some confusion here. Is, in fact, this new advisory body going to review every water regulation in the province or isn't it?

Mr Speaker, I'd appreciate a ruling on this.

**Mr John R. Baird (Nepean-Carleton):** On the same point of order, Mr Speaker: I won't speak for very long, only to indicate the official opposition's concern for the point raised by the member for Toronto-Danforth. Obviously, if we're to make a substantive response to what is a serious and important issue to the people of Ontario, we've got to depend on the accuracy of documents provided by the government.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** On a point of order, Mr Speaker: I too have reviewed the statement and the Instant Hansard. There is a change in one sentence, as I understand it. I appreciate the member raising the point.

On all ministerial statements we indicate on the front, and the member opposite did her work, "Check against delivery." That's present on this document, as I understand it. I would say there's no violation of the standing orders; in fact, what the minister said in the House stands. That was a very clear statement about protecting the environment of this province and the quality of our drinking water.

**Ms Shelley Martel (Nickel Belt):** On the same point of order, Mr Speaker: Yesterday and today, statements were made by the Minister of Health. Yesterday, there were some numbers that were used in his statement, with respect to funding for long-term care, that he announced as he read it, which as far as I can recall did not occur in the written statement that we received.

Now, I had been at the announcement and I knew what the numbers were already, so I didn't worry about it. But again today—and I haven't checked the Instant

Hansard, so I say that at the outset—I believe that the minister, when talking about nurses, gave the total number of nurses who were to be hired as a result of the investment made to hospitals, from part-time to full-time. The document that we had did not have that number.

I just say to the government House leader: It may seem like a small matter, but those numbers were quite significant in terms of the government's commitments and my response. So I would just ask that if we are going to get copies of statements, it would be helpful if they were the same—

*Interjections.*

**The Speaker (Hon Alvin Curling):** I was just dealing with this point of order here, but allow me to confer with the Clerk for a minute.

I would say that the member for Toronto-Danforth made some important points. Give me some time to review it, because of course it will be of concern if it's inconsistent. Let me get back to you very shortly on this matter.

### VISITORS

**Mr John O'Toole (Durham):** On a point of order, Mr Speaker: With your indulgence, I didn't want to tie up the proceedings of the day. I did want to take time to introduce the members of Central 7: Robins Kew, Tim Crust, Jean Harsell, Tammy Abbott, Brian Keen, Karen McKeown—

**The Speaker (Hon Alvin Curling):** Thank you. It's now time for petitions.

### PETITIONS

#### CHIROPRACTIC HEALTH CARE

**Mr Frank Klees (Oak Ridges):** A petition to the Legislative Assembly of Ontario:

"Whereas over 1.2 million people use chiropractic services every year in the province of Ontario; and

"Whereas those who use chiropractic services consider this an important part of their health care and rely on these services along with the OHIP funding in order to function; and

"Whereas the elimination or reduction of chiropractic services would be viewed as breaking the promise not to reduce universal access to health care; and

"Whereas by eliminating or reducing OHIP coverage of chiropractic services, where the patient pays part of the cost, will end up costing the government far more in additional physician, emergency department and hospital visits;

"Therefore, we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario does not delist chiropractic services from the Ontario health insurance

plan, and that assurance is given that funding for chiropractic services not be reduced or eliminated."

I'm pleased to add my signature to this petition.

### OPTOMETRISTS

**Mr Dave Levac (Brant):** I appreciate this opportunity to speak on behalf of the voices in my riding.

"To the Legislative Assembly of Ontario:

"Whereas the last funding agreement between the Ministry of Health and Long-Term Care and the Ontario Association of Optometrists (OAO) expired March 31, 2000; and

"Whereas the optometric fees for OHIP-insured services remain unchanged since 1989; and

"Whereas the lack of any fee increase for the last 15 years has created a crisis situation for optometrists; and

"Whereas fees for OHIP services do not provide for fair or reasonable compensation for the professional services of optometrists in that they no longer cover the costs of providing eye examination; and

"Whereas it is in the best interests of patients" and my constituents "and the government to have a new funding agreement for insured services that will ensure that the most vulnerable members of society are able to receive the eye care that they need;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Health and Long-Term Care resume negotiations immediately with the OAO and appoint a mediator to help with the negotiation process in order to ensure that optometrists can continue to provide quality eye care services to patients in Ontario."

I affix my signature to this petition and give it to Jen, our page.

#### CHIROPRACTIC HEALTH CARE

**Mr Jerry J. Ouellette (Oshawa):** Again I had the privilege of having the member for Oak Ridges read one of my petitions. This one is to the Legislative Assembly of Ontario.

"Whereas over 1.2 million people use chiropractic services every year in the province of Ontario; and

"Whereas those who use chiropractic services consider this an important part of their health care and rely on these services along with the OHIP funding in order to function; and

"Whereas the elimination or reduction of chiropractic services would be viewed as breaking the promise not to reduce universal access to health care; and

"Whereas by eliminating or reducing OHIP coverage of chiropractic services, where the patient pays part of the cost, will end up costing the government far more in additional physician, emergency department and hospital visits;

"Therefore, we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario does not delist chiropractic services from the Ontario health insurance plan, and that assurance is given that funding for chiropractic services not be reduced or eliminated."

I sign my name in agreement with this petition.

### PHYSIOTHERAPY SERVICES

**Ms Shelley Martel (Nickel Belt):** I have a petition addressed to the Legislative Assembly that reads as follows:

"Whereas seniors and other qualified patients require the continued provision of physiotherapy services through schedule 5 clinics to promote recovery from medical conditions and continued mobility and good health;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The patients of schedule 5 physiotherapy clinics request the continued support of the Legislative Assembly of Ontario for provision of OHIP-covered physiotherapy treatment to qualified seniors and others in need of these vital health care procedures."

This petition is signed by over 3,000 residents of Ontario. I agree with the petitioners and I sign my name to it as well.

1600

### OPPOSITION DAY

#### LONG-TERM-CARE FUNDING

**Mrs Elizabeth Witmer (Kitchener-Waterloo):** I move that the Legislative Assembly call upon the government to recognize that, as of April 1, 2004, nursing homes in Ontario were to have received their annual "case mix increase" adjustment of 1.4% of their base funding allocations to cover increased labour costs and to keep up with the increasing needs of residents;

To recognize that the McGuinty government is clawing back property tax reimbursements to specific long-term-care facilities, thereby placing additional funding pressures on our nursing homes;

To recognize that the system has been expanded by 20,000 beds and the last of those beds are now being opened, and that new money is needed to fund these beds; and

To recognize that Premier McGuinty made a specific campaign promise to "invest in better nursing home care, providing an additional \$6,000 in care for every resident";

That Premier McGuinty live up to his campaign promises and immediately increase long-term-care funding and stop the clawback of property tax reimbursements.

**The Deputy Speaker (Mr Bruce Crozier):** Mrs Witmer has moved opposition day number 2.

**Mrs Witmer:** I'm very pleased to speak today to the opposition day motion which we have introduced.

We believe it is absolutely necessary for this government to build on the strong foundation that we put in place for the long-term-care sector and that the Premier and this government continue to live up to their campaign promises. That campaign promise was to "invest in better nursing home care, and to provide an additional \$6,000 in care for every resident."

We also would hope that they would stop the clawback of the property tax reimbursement and that they would immediately provide, as promised, the April 1 adjustment of 1.4% in the annual case mix increase in base funding allocation to long-term-care facilities.

Regrettably, the promise the Premier made to the people of Ontario is one that he had broken. However, the combined advocacy efforts of residents, families and long-term-care providers has resulted in the motion that we brought forward last week and, as a result of bringing forward that motion last week in response to the needs of the health care sector in the long-term-care area, the Premier and government have finally taken a small first step in the direction of providing badly needed funding for our seniors and others in our long-term-care facilities. I say "long-overdue first step" because this sector has been attempting to meet with this government for the past seven months. They were unresponsive to the requests, whether it be from providers, from family members or from residents. Not only did they not respond, they simply ignored the concerns that were brought to their attention.

We are here today at a point where this government needs to recognize that they must listen to the voices of the people in the province. If they are going to talk about providing better care for seniors and others in long-term-care facilities, it is absolutely essential that they live up to their funding commitment, not claw back the property tax rebates, and provide the funding they promised for April 1.

I think it's extremely important to provide some background information at this point as to how and why our government committed to providing 20,000 new beds in long-term-care facilities and redeveloping 16,000 other beds—new and redeveloped beds, by the way, which were all designed to meet new high provincial standards.

These long-term-care facilities support people who are not able to live independently in their own homes and who require 24-hour supervision and health care support. We have almost 600 long-term-care facilities in the province today, providing a home for over 77,000 people. I have to tell you that before we made our announcement on April 28, 1998, to build 20,000 new beds, no new long-term-care beds had been built in this province since 1987. The Liberal government had simply stopped building beds in 1987, and if you take a look at their election platform in 1990 and 1995, they had no policy plan whatsoever for long-term care. The NDP also did not add one new bed between 1990 and 1995, and did not have a strategy for dealing with the anticipated increase

in demand for long-term-care beds, according to the 2002 Provincial Auditor's report. This meant that people in this province who needed this level of care could not access it, and if they did, they were often forced to move to communities far away from family and friends, or they were forced to occupy acute care beds in hospitals.

However, our government developed a strategy for dealing with the demand for long-term-care beds. We worked with residents, families and people in the long-term-care sector. We knew it was important to build a health system that was sustainable, that would provide a continuum of care to people in the province. Our vision was to provide the most appropriate level of care as close to home as possible. So in April 1998, we announced a \$1.2-billion investment for the construction of 20,000 new long-term-care beds and the redevelopment of 16,000 beds in existing facilities. This expansion of the long-term-care sector was the largest-ever expansion of health care services in Ontario's history. Thereafter, we continued to invest annually to enhance care and hire more nurses.

In July 2002, there was a funding investment of \$100 million for more nurses and better care. In our 2003 budget there was a funding investment of \$100 million annually to enhance the care in our LTC centres. The first \$100 million was the largest single cash infusion to the sector. The total \$200 million within a year was unprecedented in the history of Ontario. Our government wanted to provide appropriate care to these residents, as close to home as possible.

I'm also proud to say that in 2002 we committed \$4.3 million to an elder abuse strategy to address and prevent abuse of seniors. This included hiring new, specially trained staff.

We also introduced a provincial strategy for Alzheimer's disease and related dementia, the first of its kind in Canada, and we committed \$68 million to implement that strategy. This involved training staff from each of the LTC facilities on how to best serve residents with Alzheimer's.

Our plan to build these new beds and redevelop the others was in response to the needs of the residents who had heavy care needs and cognitive impairments. We also provided increased training and support for care providers in order that they could provide compassionate care. This announcement also removed pressure from hospitals by opening up more beds and easing the pressure on emergency rooms.

What happened after the Liberal government took office last October? I can tell you that for seven months those in the long-term-care sector asked for the additional funding that was required, and there was no response. They asked for meetings with this government and this minister, and there was no response. Indeed, this government even failed to acknowledge that the last of the 20,000 beds had opened, and they had not provided any new operational funding on an annualized basis for these beds. On top of this, the government had recently announced to the long-term-care sector that they were

going to claw back the property tax reimbursements for 2003 and 2004.

#### 1610

**Mr Jim Wilson (Simcoe-Grey):** They did it in secret, too.

**Mrs Witmer:** They did it in a secret and stealthful manner. This meant that these facilities were going to have to lay off staff. It meant that obviously there was going to be pressure on their financial bottom line. So not only did this government not increase funding, they were actually decreasing the level of funding. At a time when this minister was talking about providing dignity for seniors, they were secretly clawing back funding and decreasing the level of care for these vulnerable individuals.

Furthermore, the homes did not receive the case mix increase adjustment of 1.4% in their base funding allocation on April 1, as happens every year. Again, this was a promise made and a promise broken. This was an increase that the owners were counting on to support the residents. This is an increase that is used to cover increased labour costs and to keep up with the increasing needs of our residents. Indeed, as we all know, we have increasing hydro and utility costs as well.

I can tell you, these actions of this government contributed to anxiety in the long-term-care sector and tremendous destabilization in the last seven months. Thus, in response to the concerns of those in the long-term-care sector—the residents, the family members and the providers—we introduced our motion last week. Well, guess what? Finally, on Sunday, Mother's Day, there was a hastily convened, last-minute meeting with the minister to begin a dialogue on providing funding. I can tell you, more money is needed. These residents are frail. The level of acuity is increasing. More than half of them suffer from dementia and other mental illness.

Let's take a look at the pressure that was put on this government that finally forced them to take at least one small step forward. However, there are so many questions that remain. The reality is, an announcement has been made, but when will the money flow? When will the \$340 million, the annualized funding to operate the new beds, flow to the facilities? When will the \$191 million flow? Furthermore, does this include the clawback for property tax rebates? Does it include the normally automatic CMM adjustment to April 1? We simply don't know.

Let's take a look at the pressure that this government was under that helped to move them forward one small step. There were petitions from family members of residents—petitions and letters that read like this to the minister, the government: "Reverse the action to reduce taxes. This retroactive reduction has serious implications on the care for seniors that have not been examined." They were also asking for extra dollars to flow on April 1 to meet the increased needs of nursing in the LTC facilities. They go on to say, "As Mr Smitherman indicated last fall, long-term care needs to be examined." They go on to ask for proper funding to ensure that areas

such as dietary, housekeeping, maintenance and all the other increased expenses are provided for.

So we heard from them, and then, of course, we heard the repeated calls for more funding from the Ontario Association of Non-Profit Homes and Services for Seniors. Again, Donna Rubin says, "We expect the government to keep its promises in the upcoming budget. They need to do what is right." She goes on to say, "The infusion of \$420 million a year would bring us into line with the average in other jurisdictions." So again there was tremendous pressure on the government from the Ontario Association of Nonprofit Homes and Services for Seniors.

Donna Rubin says, "To say that money is not the answer is to deny the reality. We could be doing so much more for the people in our homes, but it will require a financial commitment." That was important, and that certainly helped in the pressure that was building on the government.

Then, of course, those in the Ontario Long Term Care Association were also concerned that funding was not flowing. They decided to do a survey of their member residents and families. They conducted a survey to determine what the top five priorities were for long-term care in 2004. The clear and emphatic message that came from residents and family members and health care providers in the homes of the Ontario Long Term Care Association to the government was that they needed to provide the increased resources required to deliver the care and services the residents need.

In fact, of the five priorities that were identified, number one was to provide more staff to reduce the time to respond to resident needs—more than 18,000 votes. The second priority was for more funding for care and services—more than 17,000 votes. Tougher penalties for homes not meeting standards was in sixth position, and of course this is a measure the OLTCA fully supports as part of an enhanced accountability framework for the sector.

I think this is important because they also went on to say, "We now hope the government will respond to the voice of Ontarians most knowledgeable about long-term care and, in so doing, they will also address the existing issues with respect to increasing the annual acuity funding, the clawback of the property tax costs and increasing occupancy pressures that threaten the stability of an already fragile but increasingly critical component of our health care delivery system."

It was those letters, those e-mails, those petitions, those faxes from residents and their families, certainly the message for more funding that we heard from the Ontario Association of Nonprofit Homes and Services for Seniors and the message we received from the Ontario Long Term Care Association that prompted us last week to introduce the motion we have before us today, a motion calling upon this Premier to live up to his campaign promise to "invest in better nursing home care, providing an additional \$6,000 in care for every resident" and to stop the clawback of property tax reimbursements.

As it is today, not only have they broken their promise of \$6,000, but they have still not put in writing anything referring to how they plan to deal with this property tax clawback. The sector is still not quite sure whether the reduced level of funding will mean they're going to have to reduce their staffing and their services to residents. They've also not flowed the CMM funding, which amounts to about \$30 million.

## 1620

I hope this government, as it moves forward, will continue to reflect on the commitment we made in 1998 to the residents of this province to provide them with 20,000 new beds and 16,000 redeveloped long-term-care beds, which we built to very high standards. I hope they will remember our investment of \$1.2 billion to provide for the care and the support of these residents in order that they can live in dignity.

I hope that as we move forward, we won't see another seven months go by whereby the government is unresponsive to the concerns of those in the long-term-care sector and refuses to meet with them.

I hope that we will see this government now move forward and commit to the additional funding which this Premier promised he would make available to our vulnerable residents in his campaign pledge in 2003.

I call upon this government to live up to the promise they made and recognize that if we're really going to meet the needs of these vulnerable citizens, we're going to have to provide the necessary funding investment.

**The Deputy Speaker:** Further debate?

**Ms Monique M. Smith (Nipissing):** I'm very pleased today to speak to this motion on behalf of our government.

*Applause.*

**Ms Smith:** Thank you.

As you know, I was asked by the Minister of Health, George Smitherman, to undertake a review of long-term care back in December. In December, a series of disturbing articles appeared in the Toronto Star which outlined some of the problems in our long-term-care facilities in the province. The minister asked me to undertake a top-to-bottom review of the long-term-care system and to report back on ways to improve that system.

Mr Speaker, I'm very pleased to inform you and the House, as the minister did yesterday, that yesterday I did release my report, *Commitment to Care: A Plan for Long-Term Care in Ontario*. I'd like to thank my colleagues for their support in my review and in the release of this report. It's available to the public on our Web site, [www.HealthyOntario.com](http://www.HealthyOntario.com).

I was ably assisted in reviewing the long-term-care system and in writing this report by three of my colleagues: Louise Edmonds, who did yeoman service and worked day and night with me on this report; Adrienne Guthrie, who works in my office and who did a fabulous job keeping things going in the office and supporting us; as well as Janine Hopkins in the minister's office, who gave us a great deal of assistance on the communications side. I wanted to thank all three of those before I went any further.

Yesterday we were at the Ukrainian Canadian Care Centre in Etobicoke. We were hosted by my colleague Donna Cansfield at a wonderful facility, which is run by Sandy Lomaszewycz and her staff. We had residents there. It was a wonderful moment in Etobicoke. The minister and I were joined by Minister Gerretsen and his parliamentary assistant, Mr McMeekin, as well as Mrs Witmer and Ms Martel. At that time, we were able to not only release the report but also make some important announcements with respect to long-term care in our province.

I do want to spend some time speaking a bit about my report. It involved a lot of work. We visited 24 long-term-care facilities around the province.

**Mr Ted McMeekin (Ancaster-Dundas-Flamborough-Aldershot):** You did a great job.

**Ms Smith:** Thank you.

We went to large facilities and small facilities; urban, rural, municipal, for-profit, not-for-profit, charitable and culturally specific. We saw a wide variety of care in those facilities. We saw homes that were providing tremendous care, a real home environment; places where we would be proud and pleased to have our family members live. But we also visited places that were falling behind the standards. They were sad places. They were places where the residents were bored, were left unkempt, were left for hours without any distractions and activities, and without enough care, quite frankly. We were concerned; that concerned us deeply.

We also met with a number of stakeholders. We met with residents while we were visiting these homes, and with front-line workers. At our very first home, we spent 20 minutes speaking to one of the cleaning staff who had been working in that facility for 22 years and had a great deal of history and knowledge to share with us. We met with dietary staff, cleaning staff, family members, activities coordinators and administrators.

We also met with family members while we were in homes and we met with family council members in separate meetings. We met with residents' councils, caregivers, health professionals, operators, seniors' advocacy groups, union representatives, academics, gerontologists and others active in long-term-care facilities. There are so many people across this province who are very concerned about how our long-term-care facilities are managed. I think it's really important, and a tribute to them, that they spent their time with me and provided me with so much information that allowed me to prepare this report.

One of the first things we highlight in our report is the need to improve the quality of life. Part of that is to look at these places as homes. We should not be referring to them as facilities or institutions. These are homes. These are the places that these people are living in. We have to recognize that and we have to encourage them to make it their home. We have to encourage the administrators to ensure that they are homes. To that end, we recommend more involvement by families, volunteers and the community.

We saw some great examples of community involvement, examples where the early childhood centre across the way would come and bring all the children over on a Tuesday morning in February in Deep River. The kids would come in and play with seniors, have a sing-song, have snacks and then head back to the early childhood centre. We saw examples of intergenerational programs where young people would come in from their school and would have reading buddies, would read to seniors and would be assisted in reading by seniors—great interaction. We have examples of homes that welcomed a step dancing class to their facility, and on a Wednesday night they would have step dancing practice. We'd have the young people in there, the music playing, and the seniors could come and watch and enjoy the young people and their enthusiasm.

During my review I also had the opportunity to spend an eight-hour shift in a long-term-care facility in my riding of North Bay. The generous folks at Casselholme welcomed me in. I spent an eight-hour shift in "A" wing with an RPN, two personal care workers and 40 residents. We had a delightful evening. I got to see first-hand just how busy it is, just how involved the tasks are and how much work it is to ensure that those residents were having an active life, got their meals on time and were prepared for bed in the way that they liked and wanted. It was really important for me to spend that time to see how busy it was and how it really was all hands on deck for the entire shift. I appreciated Nancy, the RPN I shadowed. She was very helpful. She introduced me to the residents. And I, of course, not actually working, had the opportunity to sit down and talk to the residents and really get to know the history of some of the folks in my riding. I appreciated that as well.

In my report we also talk about ensuring public accountability. In that, we've already instituted an action line, a 1-800 number for people who have concerns about long-term care across the province. They can call in and report that. We've also instituted surprise inspections, which are so very important because they reflect how a home is run on any given day at any given time, and it's important for our inspectors to be able to see that. We're also going to be introducing a public Web site which will provide information for the public in determining which home they would like their relative to live in, as well as to just give some public accountability to the residents of Ontario. They can now be informed on how well homes are doing across the province.

We're also going to be introducing a seniors' advocate for long-term care, a third party to whom people can bring their complaints and concerns, and they will be addressed in a timely manner. They will be investigated. We're also looking at enforcing tougher standards. So we're going to be toughening up standards. We're going to be making them incredibly specific and we're going to ensure that we have tougher inspection. To that end, we are taking the compliance model that is presently in place and separating it out to create a compliance, inspection and enforceability model that will provide much more

enforceability and make sure that our residents are getting the care they need in these homes.

We're also looking at the role of our staff: What kind of staff do we need in these homes and what kind of training do they require? We're going to be implementing more training and making sure that staff have training that is appropriate for long-term-care homes: training in dementia care, geriatrics and making sure we know how to deal appropriately with the needs of these residents.

Lastly, I have recommended that we look at the legislation and do an overhaul to ensure that we can put in place the necessary requirements for protecting our residents, and for allowing our caregivers to protect our residents by giving them whistle-blower protection. We'll be looking at elder abuse and toughening up our standards around elder abuse. We'll also be giving the staff some protection through whistle-blower protection.

**1630**

In my last few minutes, I'd just like to address some of the things that Ms Witmer raised in her initial discussion on her motion. She indicated that there had been requests for a meeting that had gone without response. Well, I can assure you that I have met with almost every stakeholder group in the long-term-care sector over the last three months. I have met a couple of times with some of the larger groups that have a great stake in the reforms that we are introducing. I know for a fact that the minister has met, on numerous occasions, with the operator groups and the advocacy groups. So I don't quite believe what the member was saying on the request going unanswered.

With respect to the \$10.3 million in property taxes, we have worked with the sector on that particular question. We have provided them with the \$10.3 million to—

*Interjections.*

**Ms Smith:** Exactly. To provide them with 90% of their property tax bill for 2003-04. We're continuing to work with the stakeholders to come up with a strategy for municipal taxes moving forward.

The member indicated that she believed the sector was destabilized for the last seven months. I can tell you, I have spent a great deal of time with the sector in the last seven months, and they were anything but destabilized. In fact, they were quite energized, and excited about the review that I was undertaking and the reforms that we were going to be presenting. Yesterday they were there in droves, out in Etobicoke, and they were quite excited by the announcement that we made yesterday.

The members talked of "hastily convened meetings," "clandestine meetings." I can tell you that the minister and I have both met a number of times with the stakeholders. We have brought them along through the drafting of my report. I don't think anyone was terribly surprised by the recommendations I made.

In fact, last night I appeared on TVOntario with Lois Dent, who's the president of Concerned Friends. She told me on air that she thought the report was terrific. She also explained to me that it was like the wish list that Concerned Friends had developed over the last 10 years, that we had incorporated all of that wish list in my report,

and more. What more could we ask for, with that kind of endorsement from an advocacy group that was out there speaking on behalf of residents for a very long time, and finally feels like they're being heard?

Finally, I would just like to point out that the Star today, in an editorial—the Star having been one of the organisms that really pushed this review forward and put it on the fast track—said: "Over the last 20 years, previous governments have promised reform. Little has happened. Now, it's clear Smitherman intends to get it right. He should be applauded for acting on behalf of the elderly and their families."

Let's applaud.

**Ms Shelley Martel (Nickel Belt):** It's a pleasure for me to participate in the debate. I want to tell you at the outset that I'm going to be using all the time for our party. I'm sure members are just thrilled to hear that.

*Interjections.*

**Ms Martel:** I know. The opposition day motion that appears before us says the following: "That Premier McGuinty live up to his campaign promises and immediately increase long-term-care funding and stop the clawback of property tax reimbursements." That leads so well into what I want to say this afternoon, because I want to pick up this afternoon where I left off yesterday, after the minister made his statement in the House.

I said yesterday, in responding to the minister, that I would have been happy if the government had only lived up to the election promises that it made to residents in long-term-care facilities and to their families. I would have been happy if the government had announced that yesterday. The government didn't.

I want to share with the House, again, three very clear examples of promises that have been made and promises that haven't been kept with respect to those very same residents and their families. Let me deal first with the very specific promise that the Liberals made during the campaign, that they were going to increase funding to each resident in each home by \$6,000. So \$6,000 is what they were going to add to the care of each resident in each facility across the province. That would be a total of about \$420 million.

Yesterday I heard the minister say that the government is committing \$191 million for residents in homes across the province. I listened very carefully to hear him say that that was \$191 million this year and then \$191 million next year, and then the balance to the \$420 million would come in year three, but he didn't say that. He didn't say that at all. He only talked about \$191 million. There was no commitment at all on the part of the minister, and on the part of the government, to fund the balance as the Liberals promised during the election campaign.

Yesterday the government promised about \$2,700 per resident, so they're about \$3,300 short per resident. Yesterday they committed to less than half the funding they promised during the election campaign. As I said, I was at the announcement and listened carefully there and I came to the Legislature and listened carefully here, and I didn't hear the minister, on behalf of the government,

tell residents and their families that this government was going to fund, like it promised, \$6,000 per resident per home across this province.

What we got yesterday was clearly a broken promise, because this government is about \$3,300 each short for 70,000 residents of homes right across this province. There's a big difference from what was promised during the election campaign to get votes and what the government delivered yesterday. I heard no commitment to fund the balance at either of the two opportunities the minister had when he was speaking about this, and I haven't heard him say since that the balance is going to be provided and when it will be.

That's a very significant shortfall of about \$3,300 per resident right across the province of Ontario, and there are 70,000 residents. I think that's a significant broken promise to a group of individuals who we know are very frail and elderly and, goodness knows, need financial support in terms of their hands-on care, in terms of the food they eat at some of the facilities and in terms of the recreation and other activities that should be provided so that these facilities really do become homes. So I wait to hear where the balance of the money is and when it's actually going to be provided as promised.

The second promise the Liberals made during the election was that they were going to cancel the 15% fee hike that had been announced by the Conservatives for residents of long-term-care facilities. You will remember that in July 2002, as a result of much opposition from many quarters, the government was forced to back off the 15% fee hike it was going to impose in a single year and instead decided to impose it over three years: a \$3.02 increase in 2002, a \$2 increase in the fall of 2003 and another \$2 per day increase in 2004. That was the schedule under the Conservatives.

Then, last spring, as the election was upon us, the Conservatives announced that in years two and three the increase would only be the rate of inflation; whatever that was would be the increase that would go into effect in years two and three. But the Conservatives said nothing about rolling back the very significant \$3.02-a-day increase, which I remind you was very much above the rent guideline in the private market at that time.

I waited yesterday to hear the minister say essentially two things: that he, himself, was committed in years two and three to only having increases that would be at the rate of inflation and, more importantly, that he would be rolling back the very significant fee increase that went into effect for these residents in September 2002. I heard nothing about that election promise yesterday morning at the facility in question, and I heard nothing about that very specific election campaign promise here in the Legislature yesterday afternoon.

I say to the government: another broken promise to residents of long-term-care facilities and their families, a very clear broken promise to people who really could use that money back in their own pockets to buy some of the amenities they need. We all know it's very expensive to live in a long-term-care facility. Most people's pensions

are entirely eaten up by the accommodation cost, and what little they might be able to get back from the fee increase is what they should get back, just like the Liberals promised during the election.

**1640**

So I wait to hear when the government is going to make good on that election promise to residents and their families, because for many of these seniors, getting that money back would make all the difference in the world. I would like to hear the government say they are going to give that money back and, secondly, that the increases for years two and three will only be at the rate of inflation, nothing more and nothing less. Frankly, that would actually comply with one of the recommendations made by Ms Smith in her report, where she said very clearly, "We suggest that the government limit any increase in the accommodation cost for residents in long-term-care homes to no more than the cost of living annually." I agree. I'm still waiting for the government to keep its promise in this regard.

The third promise the government made to residents in long-term-care facilities and their families before and during the election was that they are going to implement standards of care for residents in facilities, because we know the former Conservative government did away with standards in long-term-care facilities, did away with the standard that said you had to have a registered nurse on duty 24/7 in all facilities in the province of Ontario. The previous government did away with the bathing regulation. The previous government did away with the regulation that said each resident would receive 2.25 hours of hands-on nursing care in every facility across the province. The government did away with all those standards.

The result of that was very clear in the study that was commissioned by the ministry itself, which was done by PricewaterhouseCoopers and released in January 2001. In every category—hands-on nursing care, behavioural management, physiotherapy, etc.—Ontario ranked dead last against the other jurisdictions it had been compared to, and there were at least four in the United States, three in Canada and two European jurisdictions. In fact, at the time Ontario had less than two hours of hands-on nursing care and Mississippi had four.

So I fully expected in the announcement yesterday that the minister was going to say very clearly, "We are going to cabinet immediately," or, "We are going to implement regulations regarding the number of baths per week, regarding having a nurse on 24/7, regarding hands-on care per resident, per day in every facility across the province." I didn't hear the minister say those regulations were coming soon. I didn't hear him saying anything about a regulation with respect to hands-on care for residents.

You know, Ontario right now has the dubious distinction of providing the least amount of hands-on care, less than Mississippi, for goodness' sake, that has four hours a day of hands-on care per resident. How come we in Ontario can't be at the top instead of at the bottom of the heap, as we now are?

If the minister wanted to do something about hands-on nursing care, bathing regulations or having a nurse in a facility 24 hours a day, seven days a week, he could have brought a regulation to cabinet this morning, or any other Wednesday morning when cabinet meets, and passed that regulation through an order in council, and that would become the standard that long-term-care facilities have to follow, because right now, there aren't any standards. Regrettably, in some facilities where there aren't any standards, some of those operators are going to operate at the lowest common denominator, and that's not going to mean quality care for residents in those facilities.

I say to the minister that there is absolutely no need to wait till the fall to bring in legislation. On a Wednesday morning—indeed, this morning—the minister could have brought forward regulations that could have passed to put in place again the standard that there will be a nurse on duty 24/7 in every facility, the standard that every resident will get a bath or two or three a week and the standard that there will be so many hours of hands-on nursing care provided to every resident in every facility. I say to the minister, don't wait till the fall. You don't need legislation to do this. You could do this by regulation before cabinet on a Wednesday morning, and it's about time it should be done.

I heard the minister, in his comments yesterday, talk about how the government was going to get tough on elder abuse and that the government was going to make reporting of abuse mandatory and was also going to put whistle-blower protection in place for those workers who come forward and provide allegations of suspected abuse. He said very clearly, "We will crack down on elder abuse by making it mandatory for staff to report suspected abuse, and in legislation we will offer whistle-blower protection to ensure that those workers have all of the freedom and support necessary to call in any claim of suspected abuse." This is what we all want, but what's also clear is that the minister is going to wait until the fall to do that.

I ask the question, how many more residents will become victims of abuse because there isn't legislation in place for mandatory reporting and there isn't whistleblower protection? We don't need to wait till the fall. We shouldn't need to wait till the fall.

My leader, Howard Hampton, introduced Bill 47, An Act to protect persons in care from abuse, April 1, 2004. The bill very clearly provides a duty on service providers in long-term-care facilities to report any abuse promptly to the Minister of Health. They have a duty to do that in the same way teachers, child care workers and those who work in recreational programs have a duty to report suspected child abuse to the children's aid society immediately. That's what the bill calls for. The bill also says that they will be protected, that those who come forward will not suffer from reprisals. Section 10 says the following: "No action or other proceeding may be brought against a person for making a report of abuse under this act in good faith." Section 11: "No operator of a health facility shall take adverse employment action

against a service provider of the facility because that person made a report of abuse in good faith under this act."

Most importantly, and I didn't hear the minister say this yesterday, you need to protect residents who go forward with allegations of abuse. The bill also says the following: "No operator of a health facility or other person shall alter, interrupt or discontinue, or threaten to alter, interrupt or discontinue, service to a patient or to a person who has made a report of abuse under this act, or to a relative of either of them who receives services from the facility because a report of abuse has been made under this act in good faith."

If we want to do something about abuse right now, we don't need to wait till the fall. This bill meets all the requirements the minister talked about yesterday. In fact, it goes further than what the minister talked about yesterday. It provides a duty to report on everyone who works in a facility, a duty to report abuse to the minister, allows the minister to make an investigation, protects those people who come forward from any reprisal, and protects the residents and their families who are victims of said abuse, which goes further than what the minister talked about yesterday. I say to the minister, don't wait until the fall. Don't wait for more allegations of abuse. Do the right thing and pass this bill now if you're really interested in protecting seniors in facilities.

I want to make one final point. The minister talked about the money that's going to go into long-term-care facilities. I remind him that the Conservatives put \$100 million into long-term-care facilities in July 2002. They promised 2,400 new nurses and personal support workers. One year later, when the ministry studied where that money had gone, only 1,700 were hired, another 500 had their jobs saved because of that money, and a whole bunch more money went into disability benefits, WSIB benefits etc. If the minister is going to put this money into facilities, the minister had better be sure about where that money is going. He'd better make the rules really clear about how the money can be spent to hire new personnel. Otherwise, it's just not going to happen.

I say, in closing, that I went to the event yesterday. I listened to what the minister had to say in the House yesterday and would have been much happier if only the government had kept the promises it made during the election to residents who live in long-term-care facilities in Ontario and their families.

**Mr Ted Arnott (Waterloo-Wellington):** I'm glad to have the chance to speak in support of the motion brought forward this afternoon by the MPP for Kitchener-Waterloo, who also serves as our party's health critic. Members of the House should agree that the breadth of her experience as Ontario's health minister—one of finest ministers of health in our province's history—her experience and compassion have been demonstrated in a highly effective way in her capacity as the official opposition spokesperson for health.

This resolution speaks to the need to ensure that senior citizens who live in long-term-care facilities receive the

highest-quality, compassionate care that our society can provide, more commonly referred to as nursing homes. I think all members of the House will concur that the provincial government has an important responsibility in this regard. When assessing priorities, care for our senior citizens, our beloved parents, grandparents, aunts and uncles, must rank among highest obligations entrusted to any level of government.

**1650**

In recent days, seniors who live in nursing homes, the caring staff who work in nursing homes, volunteers who provide support in nursing homes and the families of the residents have been unnecessarily alarmed because of the actions of this government.

Dozen of people have written to me from the Westmount in Kitchener, which is a brand new nursing home in Waterloo-Wellington. It was approved and constructed during our party's tenure in government. The Westmount's administrator, Linda Schertzberg, advised me about this government's outrageous retroactive clawback of the property tax rebate and how it put the Westmount nursing home in a severe financial bind, which would have eventually in some way impacted negatively on resident care.

By coincidence, I met Ms Schertzberg on the same day that the Minister of Health, the member for Toronto Centre-Rosedale, was visiting our area. I attended a forum on e-health that had been sponsored by our local CCAC and the minister was there to bring brief greetings. I actually had the chance to introduce Ms Schertzberg to the minister as he was leaving the event.

In any case, as we've heard from the member for Kitchener-Waterloo, the property tax rebate for nursing homes was a program that was maintained under our government, but apparently not so with this government. When faced with a budgetary challenge, the minister pursued a policy of arbitrary cuts instead of meeting with the long-term-care sector: the administrators, the staff, the seniors they care for and their families, all of whom were put through extreme distress over whether or not the funding would be there and would be adequate to provide the care that seniors deserve.

Why did this happen? We can point to fiscal mismanagement on the part of the government that has caused this distress in recent weeks. We can even call it another pre-budget trial balloon that was floated by this government, underlining their fundamental incompetence. Or, I will ask, is their policy motivated out of spite and vindictiveness because our government had an excellent working relationship with the long-term-care sector?

No matter what we conclude, I believe this much to be true: I believe that the government's recent decision, made just last Sunday—Mother's Day, an unusual day to conduct government business, to say least—was done because of the hard work and highly effective job done by our health critic. In raising awareness of this clawback, she forced the government to back off on the clawback, for 2003 at least. The government probably finally

realized the full consequences of having to defend themselves today as we debate this important resolution. Clearly, the government felt it could not withstand the strong arguments of the opposition today unless it took pre-emptive action.

During the 14 years I've had the privilege of serving as a member of provincial Parliament, I have made it a habit from time to time to visit seniors in nursing homes and to talk to them about the care they're receiving and what could be done to improve their daily lives.

To be fair, the government also announced new funding yesterday in response to the study undertaken by the minister's parliamentary assistant. According to the government, some \$191 million will be forthcoming to upgrade care in existing nursing homes by hiring 600 new nurses and 1,400 other staff, including personal support workers, dietitians, therapists and nurse practitioners. However, there are some questions that have arisen over whether this is new money and whether it will be forthcoming in future years. However, these numbers serve to underscore the importance of the personal support workers in terms of the overall care provided in nursing homes. Therefore, it's important to state again my support for the maintenance of OHIP coverage for chiropractic, podiatry, optometry and physiotherapy services, especially as they relate to the care of senior citizens.

In my responsibilities as a member of provincial Parliament, when asked to bring forward the ideas and concerns of my constituents, in the 14 years I've been privileged to be here it has never been a question as to how important the concerns of seniors are. They must be among our high priorities. How we treat our seniors reflects on who we are as individuals, who we are as a society, and is a basic measure of our compassion.

I think I can say that as result of the tabling of this resolution some days ago, the government has responded and recognized that long-term care is important to the people of this province, irrespective of how long it's taken them to correct their mistake in attempting to impose a clawback of the property tax rebate and announce some new funding, as they have just yesterday.

I want to say that I agree there may be a need for unannounced inspection visits in some nursing homes in the province. I've had the opportunity to visit nursing homes many times in my riding, as I said earlier. By and large, my visits have been unannounced and I have found the care being offered to residents in my riding to be very good to excellent. There may, however, be some homes in the province where they need to take remedial measures to improve care. Certainly we cannot in any way tolerate substandard care or, even worse, any physical abuse or neglect of our elderly. The government has an important role to ensure that appropriate standards are indeed maintained.

In closing, I want to reiterate my strong support for this motion. I realize a number of my colleagues wish to speak to this motion as well. In the interests of time, I will yield the floor to them.

**Mrs Liz Sandals (Guelph-Wellington):** I'm pleased to rise today to speak on the opposition motion by the member from Kitchener-Waterloo respecting long-term care.

I'd like to make reference to the excellent work done by my colleague Monique Smith, the parliamentary assistant to Minister Smitherman and the MPP for Nipissing. She released yesterday an excellent report, *Commitment to Care: A Plan for Long-Term Care in Ontario*. If anyone has the opportunity to read this report—I've read a lot of government reports in my time, and I must say this is the most readable report I've ever encountered. Anybody who is interested, have a read. It's easy to read. You can see coming through in the report the concern Monique is showing for the situation in which she found some of our residents in long-term care.

The member for Nipissing visited 24 long-term-care facilities, a whole variety of facilities. She asked her caucus colleagues for examples of both good and bad. I must say I had suggested to her that she visit St Joseph's Health Centre in my riding. I was pleased, a few weeks after I had made the suggestion, to find that she had been there. In fact, she has noted in her report that at St Joseph's home in Guelph, for example, 300-plus volunteers are assisting residents with a biography-writing project for residents. I would like to thank the volunteers in my riding who go into St Joseph's and other homes in my riding to help with the care of the elderly, help to make sure they have constructive activities, and play such a valuable role in contributing to the quality of life of our elderly relatives.

However, we need to think a little bit about why Monique had to actually do this report. It's much because of the record of the previous Conservative government that this was actually necessary. Let's think about it.

They removed the minimum standard of three baths per week. They removed the minimum standard for two and a quarter hours per week of nursing care. They removed the requirement—no standard at all. It wasn't that they lowered the standard; they just got rid of the standard. They removed the requirement that a registered nurse be on duty 24 hours a day. They removed the requirement to have a one-bedroom isolation unit in each home. After they'd done all this to decrease the quality of care, they tried to increase the fee to residents by 15% in one shot. The Liberal Party in opposition and the long-term-care advocates worked together and made the Conservative government retract that.

I must admit that they did in fact construct a number of new long-term-care beds. They did. I have a number of new beds and a number of rebuilt homes in my riding and we thank you for that. But where the previous government failed was in providing the operating funding for the new beds. So they failed in their Magna budget to actually provide the operating funding for new beds. They failed to provide in the Magna budget for the property tax reimbursement that homes have previously received for the new beds they were creating. While they did quite a good job on the capital construction side, they

didn't provide for the funding of that new capital infrastructure.

**1700**

In fact, in terms of their inspection services, the Provincial Auditor noted in his 2002 report that between 1997 and 1999, fewer than half of all nursing homes were inspected annually. He also found that at the time none—repeat, none—of the nursing homes operating in Ontario had a valid licence. Can you believe that? Some 15% of the licences had expired more than a year and a half before. One facility's licence had expired in 1994—remember, this was the 2002 report—another in 1997 and two in 1998. So the inspection service that was provided was clearly not working.

Another thing that happened with the inspection service under the previous government was that homes were given two or three weeks' notice before they were inspected. So of course if you've got substandard service, you're going to clean the place up. You've got all this heads-up notice to find out you'd better get your act in gear. That's just not good enough.

We have already responded to a number of the recommendations in Monique Smith's report. I am pleased to share with the people of Ontario that we will be mandating a minimum bath standard of two baths per week. We will be mandating 24-hour registered nursing coverage in homes.

In order to make sure that people can actually meet those standards, we are providing \$191 million to hire 2,000 new staff in the long-term-care facilities in the province. That will provide for 600 new registered nurses and registered practical nurses and also for a number of support workers, because it's the personal support workers who do so much of the care of people in the homes. We're also providing the \$340 million to actually operate the new beds. And we are providing the 2003 property tax reimbursement, contrary to what you have said today.

We will be mandating family councils and resident councils in every long-term-care home and we will be having unannounced inspections. The inspectors will just show up and inspect whatever they find.

**Interjection:** A surprise visit.

**Mrs Sandals:** A surprise visit. In fact, I must report to you that those have already started, and I've gotten very favourable feedback from the high-quality nursing homes in my riding saying, "Keep that up. The unannounced inspection is a great idea. We've got no concern. We're doing a good job." But it means that the inspectors are actually going to find the problems in the homes that aren't doing a good job.

The member from Nickel Belt spoke about whether or not we were keeping our promises. She said that we had made a commitment to increase nursing care funding by \$6,000 a year. That was a four-year commitment. Think of it; by her own admission we have gotten more than halfway there on a four-year commitment in the first six months of our mandate. I think that's extraordinary.

**Ms Martel:** Where did it say over four years?

**Mrs Sandals:** It was a four-year platform. Come on. Nobody thinks that when you lay out a four-year platform, it's all happening in the first six months. I think getting 50% of the way there in just six months is extraordinary. In the words of the Toronto Star, Minister Smitherman should be applauded for acting on behalf of the elderly and their families.

For that reason, I will be opposing the opposition day motion.

**Mr Frank Klees (Oak Ridges):** I'm pleased to participate in this debate. It's interesting to listen to the government. You would know how frustrating it is, Speaker, because you yourself must be frustrated, having been on a campaign trail and having made many commitments which no doubt you yourself believed in and felt that they were—

**The Deputy Speaker:** To the member for Oak Ridges, when I'm in the chair, I am not a member of any party.

**Mr Klees:** My apologies to you, but you are a member of the Liberal Party. You may want to deny that, Speaker, and I don't blame you, in the same way that the Premier hasn't had the courage to take even one step into the Hamilton East riding for the entire time an election campaign has been going on. We have the election happening tomorrow, and Premier McGuinty has not taken one step into that riding. His picture doesn't appear in any of the literature. In fact, the time I was there, working with our candidate, I can tell you that I heard many times that if he did come into the riding, he would probably be run out, because the people of this province are absolutely tired of broken promises. They have realized that they were fed a bill of goods.

Why do I mention that, Speaker? Because we are speaking here about long-term-care facilities, which, while you deny it—you happen to be in the chair now, and I understand the concern you have that you don't want to be perceived as partisan, and we of course would never think you would be as Speaker. However, while you were on the campaign trail, I know that you too believed that the commitment your political party was making at that time, of infusing \$6,000 per patient into the long-term-care facilities across our province, would be true.

The fact of the matter is that this entire industry is not only disappointed; they are actually very concerned that they will not only not be able to improve, but actually maintain, service for residents of our long-term-care facilities in the province because of the cutbacks in funding that your government, the Liberal government, is imposing on this industry.

I want to say that our critic, Elizabeth Witmer, has done an outstanding job in advocating on behalf of the long-term-care facilities in this province, and in question period and other ways was able to raise the profile of this issue; for example, the clawback. The Minister of Health refers to himself as having hit the ground running. He sure did. He hit the ground running to draw essential funding out of this very important health care sector. As a

result of the work that our party, the official opposition, did in raising this profile, the government backed off that, and in a very quietly called meeting on Mother's Day agreed that they would reverse their position. But you know, Speaker, to have even gone there in the first place indicates a breaking of trust. So we are grateful that the minister chose to reverse his position.

What we are calling on him to do now is keep the promise that was made to the people of Ontario that they would infuse an additional \$6,000 per resident into the long-term-care facilities of our province. We will be watching, Speaker. I know you will be, not in a partisan way, but as someone who is concerned about the quality of care that seniors receive in our province. That's what we'll be looking for. We're going to continue to hold this minister's feet to the fire to simply do the right thing and support the residents in our long-term-care facilities across this province.

1710

**Mr Dave Levac (Brant):** I appreciate the opportunity to talk on this particular motion and alert the people of Ontario what we're going to hear and what we have heard from the opposition regarding their own motion, and that is basically, in a nutshell, the rooster taking credit for the sun shining again.

What we have here is a group of people who have little, if any, right to stand up and start talking about the fearmongering, as the previous minister—she said that we were destabilizing our senior citizens and striking fear into their lives. Who was it that increased by 15% the copayments for residents in long-term care facilities on a Friday of a long weekend, unbeknownst to absolutely everybody? Does she still have those boxes and boxes and boxes of postcards that were sent to her saying, "You can't do this to us; there's no way"? The opposition stood up and said—I will tell you, this was one of the first times that I almost got kicked out of this place. I made a vow in my maiden speech that I wasn't going to heckle and I was going to try to behave myself, but that was absolutely ridiculous. I couldn't believe it, and I had to be told by the Speaker to calm down and settle down when this little trick was done. The member right after her said that how we treat our senior citizens is of the utmost importance. They did those things; what else did they do?

Let's talk about it. Under the Conservatives, wasn't it they who removed the standards of minimum care? The list is so long, and they have the nerve to stand up and put a motion in this? So let's figure out what the motion is all about.

I think I'd like to make a guess that it has something to do with politics. Wouldn't it? Wouldn't it have something to do with politics, the fact that the opposition is over there throwing the same stones that they actually threw at our senior citizens when they were in government? They're sitting there saying, "We've done all of this and that," and yet they turned around and said to themselves, "Well, maybe we can also cut funding and place arbitrary limits on everything and lower the

standards of home care, forcing many of our senior citizens to go into nursing homes in the first place."

We've got a government now that has taken the steps to rid ourselves of senior abuse. It's nice to know that the members on the other side haven't stood up and said, "Let's get rid of senior abuse." What they're talking about is whether or not we, as a government, are taking this seriously. We've had some serious situations happening in my riding, and I want to thank the parliamentary assistant from Nipissing and thank the Minister of Health for making this a priority in simply saying that we're not going to tolerate senior abuse.

All I want to say is that time and time again, all we've heard from that side is the politics of this motion. Let's stand up and ask the question: Have we done the right thing in long-term care? The editorials coming out have said, "Most definitely yes." So let's get on board, stop the politics of this motion stuff, and praise the minister for protecting our senior citizens.

Thank you; I appreciate the opportunity.

**Mr Cameron Jackson (Burlington):** I'm delighted to participate in this debate, and I think that now more than ever, it's appropriate to be raising issues about the support that is due our long-term-care facilities in this province.

My association goes back some 20 years in this House, and it has already been put on the record about the concerns of past governments not supporting this sector—that's been well documented—not only in terms of the construction of new beds, but also in terms of the increase in the co-pay. Just to put the record straight, and the preceding speaker from Brantford, I know he didn't mean to misstate a fact, but there was not a 15% increase. The only time the government has increased the co-pay beyond a figure of 10% was once under Elinor Caplan's watch, where she found \$180 million through co-pays. The second time it occurred was on Frances Lankin's watch with the NDP.

So to be historically accurate, at no point—

**Mr Levac:** It never happened?

**Mr Jackson:** Well, I won't argue that it was attempted, but it didn't happen, and that is a fact. The largest increase ever was brought in by Elinor Caplan for the Liberal government of David Peterson.

Our government is very proud of the commitment we made to expanding the number of beds, to creating—and I had a small hand in this—Canada's first comprehensive Alzheimer's strategy, and seeding that with almost \$70 million.

That five-year commitment and program is over. We're anxious to hear the government make its commitment in that area. Ours was the first government to bring in an elder abuse strategy, arguably the first of its kind anywhere in the world. We're very proud of that work. We know the government has indicated it would like to build on that.

But today I'm extremely concerned that the first official act of this government was to claw back some \$20 million worth of support payments that were going to

some nursing homes in this province, based on their municipal property tax. For the past 12 years this system has been in place. What it does is it prevents two-tier health care delivery for seniors in long-term-care facilities in our province.

The only way we can do that is to ensure that when one home is taxed at one rate, another home isn't taxed at an entirely different rate. That equalization, that fairness, that elimination of two-tier health delivery was eliminated under the cloak of darkness and silence by the Liberal government, at the very time when Minister Smitherman was expressing his concern and frustration about images he's seeing about abuse or neglect going on in our nursing homes.

This has had a huge impact on the nursing homes in my riding of Burlington. They are seeing layoffs at the Brant Centre, at the Burloak facility, at other nursing homes in our community. When you add into the mix the concern that's being expressed by seniors about the potential removal of physiotherapy services and the income testing of our drug plan, seniors have very serious concerns about the direction and the signals this government is giving about the relative value of our seniors in our society. This is a value that the Conservative government prized very highly. We can only appeal to this government that they must do more now.

**Mr McMeekin:** I want to say at the outset that I think everybody in the House cares about where we're heading with seniors, particularly vulnerable seniors who for one reason or another end up in one of our long-term-care facilities, the majority of which are wonderfully well run, by the way. I just want to put that on the record.

I also want to put on the record that I don't think anybody in this House should be talking about keeping this minister's feet to the fire. Every cell in this minister's body is ablaze with a passion to defend vulnerable seniors. I think that was admirably displayed the other day when the good minister and his wonderful assistant spoke, as they did, about their passion and their concern, which they laid out for the people of Ontario, and more importantly for the families of those seniors and others in long-term-care facilities, who I think worry every single day about what might happen.

I want to say too that the parliamentary assistant to the Minister of Health and Long-Term Care did an incredible job travelling the province listening to people. I know from chatting with some of our stakeholder groups that I relate to as the parliamentary assistant for seniors that she was very active, touching base with the major seniors groups. I think that's clearly reflected in that wonderful report. She came in with the incredibly focused expectation and the recommendations that are shoring up the foundational work that's been done by previous governments.

There were some cracks showing in the foundation, but clearly the cement is being laid and that foundation's being shored up. It's a direct result of the countless hours by her and her Ministry of Health colleagues, and a few of us on this side of House who visited long-term-care

facilities and other facilities and reported back to the parliamentary assistant about some of the things we were seeing. Those of us who have a concern in this area were eager to see the report and the connections that were being made.

I think it was Mario Cuomo who once said that politicians campaign in poetry but govern in prose. I was really proud yesterday to see that there was a connection between the poetry and the prose. I think that augurs well for us down the road.

**1720**

I just want to share a couple of things, because many of the technical issues have been handled. We all have a history here. I recall organizing a petition in my riding, as the member for Brant indicated, when the proposed increase in fees was to be inflicted on the most vulnerable. We had something like 30,000 signatures from my area, in response to a full-page ad urging the Premier to stop beating up on our seniors. The response was overwhelming, and it wasn't just from families described as being part of the sandwich generation. We had signatures from young people in public schools and elsewhere about that. It was good.

It's interesting, as I listen to the day-to-day cut and thrust about promise-keeping and promise-breaking and stuff about taxes, and the Catch-22: You promised you'd do this and do this and do this, but you're not going to fund it by raising additional revenues. Sometimes it's helpful to pause and reflect a bit about what the people we purport to be trying to protect think about all this.

In my capacity as parliamentary assistant to the wonderful Minister Gerretsen, who also has responsibility for seniors—he's a very easy minister to work for; it would be like working with Minister Watson, I suspect. He's very good. They're both very hard working ministers. Let's be honest; we're taught to be honest as kids. We should be honest and celebrate our successes.

Minister Gerretsen is there, and I have the privilege of relating, through the Seniors' Secretariat, to a number of seniors' groups. I just want to acknowledge some of them, because they signed a joint letter and sent it to the Premier recently, which I would like to read into the record. This letter is signed by Canada's Association for the Fifty-Plus, known as CARP; the Canadian Pensioners Concerned; the Council on Aging Network of Ontario; the federation of Francophones in Ontario; the Multicultural Alliance for Seniors and Aging; the Older Women's Network; the Ontario Coalition of Senior Citizens' Organizations; the Royal Canadian Legion Ontario Provincial Command; and the United Senior Citizens of Ontario. This is what they said to Mr McGuinty:

"As your government continues its deliberation about the upcoming provincial budget, we, the members of the Ontario Seniors' Secretariat liaison committee, want you to know where we stand on deficit reduction and the programs that the millions of seniors we represent value so much. We recognize that your government must deal with the financial difficulties that you have inherited and that a balance must be found between investing in the

programs that improve the quality of life of all Ontarians," the kinds of things that Monique Smith was talking about in her report yesterday, "including seniors, and reducing the deficit so Ontario's fiscal situation can be put in order.

"It is our official collective position"—these are all the official senior citizens' groups in Ontario—"that balancing the budget must not be at the expense of investments in critical areas that seniors have come to count and rely on so much, such as improved health care." I know the minister of seniors knows this.

They went on to write: "Seniors are more than prepared to pay their fair share in taxes to ensure that if, for example, they become ill, they can rely on the system to provide adequate care or appropriate care in long-term-care facilities."

They conclude by saying: "You, Mr Treasurer and Premier, should remember our goal as a society must be to maintain the social and health programs we have now, and to make the necessary investments where people are suffering because the services are not sufficient to meet their needs. We urge you to consider balancing the budget over a multi-year period and consider reasonable tax increases," imagine that, "to finance the real, positive change you promised the people of Ontario, and which we wish to see."

I can't speculate on what's going to be in the budget or what's going to happen, but we should be careful when we make assumptions, because here are groups that I cherish and have come to respect very much making some comments and offering a legion of very good advice to this government and our finance minister.

I want to take a minute to talk directly about some of the things that are happening. Since this government assumed office, we've attempted to build on some of the positive things that, to their credit, were initiated by the previous government. The elder abuse strategy continues to be well advanced. The Alzheimer's strategy is certainly something we're moving forward with—the round table that we'll be announcing on Alzheimer's and other related dementias, and a special standing committee related to seniors' housing needs.

This government has made it abundantly clear that our real priority is to acknowledge and respond to the legitimate needs of those not only in the onset of life but in the twilight of life, and also those in the shadows. I want to put that on the record.

I also want to thank some wonderful people who took time to share some information with us. I think of people like my good friend Hank Gelderman in my riding, who so lovingly dedicates so much of his time, along with his board colleagues, to run the Mount Nemo nursing home. Mount Nemo is a small, faith-based, at times pretty tired-looking place, but the quality of care there is next to none. There's nobody who produces better care. We want to stand with the caring and loving folk in places like the Mount Nemo nursing home who provide such a valuable service.

I also want to say just for the record, because we've had a number of calls about CMI and about the municipal

clawback of property taxes, that perhaps the member from Burlington wasn't listening when the parliamentary assistant stood and spoke and indicated that it was not the government's intention to proceed with that in 2003-04.

Clearly this whole area is a priority. We're going to invest more dollars in this area than have ever been invested before. We do it because we know that's what we in a decent society do. I am pleased to add my voice and support for the good efforts that the parliamentary assistant and the minister have been leading.

**Ms Laurie Scott (Haliburton-Victoria-Brock):** It's my pleasure today to rise and speak in favour of the motion brought forward by my colleague Elizabeth Witmer, the member for Kitchener-Waterloo, and to thank her for all her dedication to the health care system that she has done in the past as a minister and as a member of this Legislature.

I've had the opportunity over the last several months, since being elected, to meet with a lot of long-term-care facility administrators, patients and families throughout the whole riding of Haliburton-Victoria-Brock, which benefited greatly from the previous government's investment in long-term-care facilities.

The biggest concern of late was the clawback of the property assessment taxes, which is going to affect them. We have had some announcements lately that will give a bit of a reprieve, but they want some long-term stability in that. Whenever that happens, when there's a matter unresolved of such financial implications, lowering their funding, that affects their dietary, housekeeping, laundry, maintenance and repairs, capital improvements, education and training services.

I know that the operators of the long-term-care homes have been trying for months to convince the minister of the importance of this issue. I want to stress to the government that the reprieve they have given is short term. We need to work with the long-term-care facilities as much as we can to have a permanent resolution to this problem.

**1730**

Another item that was addressed in the announcement yesterday and has had an impact throughout my riding is the requirement that long-term-care facilities maintain a 97% occupancy level in order to qualify for all their funding. As I have said before, my riding has a large population of seniors. Many of them reside in long-term-care facilities. Over the next years I expect there will be an increased need for this level of care. However, right now, some of the facilities are having a difficult time maintaining the occupancy level, and this is not unique in homes just in my riding.

I wish the announcement had addressed this concern. We need to do more updating for the funding for long-term-care facilities and how the money is spent in ensuring that all the facilities receive sufficient funding for their residents.

One of the other things the long-term-care facilities mentioned to me is the importance of physiotherapy services to their residents. It worries me that the govern-

ment seems to be considering deregulating some of these services.

Another important component—and I'm going to speak quickly on different topics because of a shortage of time—is psychogeriatric care. I met recently with the Victoria County Psychogeriatric Network. For years now, that care network has fallen through the cracks between the long-term-care and mental health systems. This causes difficulties in terms of responding to individuals' needs in acute care, community care and the long-term-care settings.

Today, I'd like to focus on the difficulties facing long-term-care homes specifically. With the increase in long-term-care facilities in my riding, for example, the degree of bed-blocking has decreased in Ross Memorial Hospital in Lindsay. However, the new long-term-care facilities which have been opened are expected to accommodate residents with increasingly complex psychogeriatric care needs, who would otherwise have remained in hospital in the past. The facilities are presenting a significantly increased demand for clinical support from the Whitby Mental Health Centre.

There's also an enormous gap of service provisions for people with chronic, consistently unstable mental health conditions whose behavioural problems cannot be adequately managed in the long-term-care system.

The recent study undertaken by the Ministry of Health and Long-Term Care indicated that approximately 2.5% of adults living in such facilities have mental health care needs that are not being met. Since they are not being met with the long-term-care announcement, we can only hope there will be an announcement of mental health funding that will help cover these rising costs.

Long-term-care homes have shown a willingness to accommodate client needs that are changing. For example, anyone with minor infections who would have to go to the hospital could now be accommodated in long-term-care facilities, which leads to more complex care. They had hoped that there would be an announcement of a change of the funding formula to recognize these new realities that the long-term-care facilities are facing.

I want to again bring attention to the fact that, during the election, Premier McGuinty made a specific campaign promise to invest in better nursing-home care—and it's been brought up by my colleagues—by providing an additional \$6,000 in care for every resident. Certainly long-term-care administrators were looking for that. That's a promise they were given that they want kept, and we have not seen that that is being kept at this point. The government's recent announcement has partially fulfilled the promise he made, but people have the right to know if he intends to keep all of this promise. I hope he does live up to his campaign promise.

Also with the case mix increase, the adjustment of 1.4% that nursing homes in Ontario were expecting on April 1 of this year: We want a final decision to be made on that and on the clawback of the property tax reimbursements for the long-term-care homes.

Thank you, Mr Speaker, for my opportunity.

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I'm very pleased to join this debate on the opposition day motion. I always enjoy being in this House and debating various issues, and sometimes on this side of the House you don't get the same opportunity as you do in opposition.

Having said that, let me just say that I guess all of this starts from the point of view as to how an individual feels as to what the true role of government is, particularly a provincial government that is involved with health care and education services.

It has always been my belief that the primary role that government has is to look after the most vulnerable in our society and make sure that everyone has an equal chance of an education, for example, and also an equal opportunity to be looked after through the health care system in one way or another.

The 70,000 individuals—most of them women, most of them elderly, many of them in their late 80s or 90s—who live in our long-term-care homes throughout this province that are run by for-profit organizations, by charitable organizations and by municipal organizations deserve our help, probably more so than any other group in our society. Many of these individuals, Speaker, as you well know, no longer have family members to take care of them, a spouse. They are usually single at that point in time. They may have children who visit them from time to time, but they truly need help or else they wouldn't be in a nursing home in the first place. It has always been my belief that we should do whatever we can for those individuals.

Therefore, it was quite a shock to me, when I was in opposition—and I happened to be the long-term-care critic for our party for a year or so—to find out that there was a government study that the government itself had paid for, the Pricewaterhouse study, which looked at 10 different jurisdictions and came to the conclusion that in Ontario we were spending less money for people in nursing homes for personal care and nursing services than any of the other 10 jurisdictions. Many of the other jurisdictions were, to the best of my knowledge and recollection, jurisdictions that were roughly our size, that had a population base of 10 million to 12 million people, other provinces in Canada as well as states in the United States and countries in Europe. So the two associations that are mainly involved in looking after the interests of the nursing homes in this province, the Ontario Long Term Care Association and OANHSS, which is the Ontario association of non-profit long-term-care homes in this province, put a concerted effort and push on both the government and the opposition to rectify that situation.

One of the reasons they did that, Speaker, is that any of us who have been involved with nursing homes over the last 10, 15 or 20 years will notice two aspects right away: first of all, that the person living in a nursing home is much older now on average than they were 20 years

ago. I'm not talking about the individuals themselves; I'm talking about the individuals who are there. Where the average age 15 or 20 years ago may have been 75 or 80, now it's closer to 85, 90 or 95. The other thing that has been determined through scientific methods, through various studies that have been done over the years, is that the acuity levels of the individuals who are in nursing homes are much more acute than they were in the past. In other words, they need a lot more care in getting them up in the morning, getting them dressed—many of them, unfortunately, don't get dressed on an ongoing basis—feeding them at mealtimes etc. So the amount of personal care that is required for the individuals in our nursing homes, many of whom have nobody else to look after them, has increased tremendously.

As a result, these two organizations that represent the interests of these nursing homes, the over 550 nursing homes that we have in this province, put a push on the government to come up with \$6,000 more per resident in funding, which would amount to \$360 million over the 60,000 people who are in nursing homes.

Just to put an end to that side of the story, Speaker, I was very pleased yesterday when the Minister of Health and Long-Term Care was able to announce right here in the city of Toronto an increase in funding for our long-term-care homes in this province of \$191 million. Now, some people will say, "Well, it's not living up to the \$360 million," and you are correct. There's no question about it, and there's no question that certainly it is our full intent, within the term of this government, which still has three and a half more years to go, to try to make up the difference between the \$191 million and the \$360 million that is required to make sure these individuals do have the individuals looking after them from a personal care viewpoint. But it is a step in the right direction—a large step in the right direction.

**1740**

In the first six months of this government, we've been able to provide funding to nursing homes that in effect will allow them to hire 2,000 full-time individuals—nurses, other health care and personal care professionals—in the homes to better look after the individuals who live there. I was very pleased to be part of that announcement yesterday and I know that in the next few months to come, undoubtedly, when the money starts flowing through these different organizations, we will see a great many more people looking after individuals in nursing homes.

That isn't to say for a moment that volunteers—and there are many excellent volunteers in this province who look after individuals, sometimes young students who come in at mealtimes to help these elderly people with feeding and eating etc—are no longer required. They will still be required. It's also a great benefit, by the way, for young people to get that intergenerational relationship with older persons and to be able to look after them. Obviously, family members are going to remain an integral part of the individuals who live in long-term-care homes.

The ability of the operators of these homes, whether they are for-profit or not-for-profit organizations, to have sufficient funding to hire more people so that our elderly individuals in these homes can be looked after in a much better way than they have been in the past is extremely important. Of course, the resolution that has been brought forward by the former Minister of Health really speaks to that. All I can say to her is, what you're asking for, we have already done, as well as providing the extra \$340 million required for the completion of the 20,000 new beds that have come on stream over the last number of years.

I think it is very important that we look after elderly citizens who have served this country so well and who are, through no fault of their own, in a nursing home, and that they are looked after properly. This is just one step in the right direction.

Some of the other announcements the minister made yesterday are just as significant. Yes, there will be unannounced inspections now taking place in some of these homes. That shouldn't be a threat to any homes at all. Many of the homes, and the vast majority of individuals who work in these homes, do an excellent job. They provide the best kind of care they can to the people who live in those homes. But there are always, in every society, some individuals who perhaps don't do as good a job as they could, or operators of some homes who perhaps aren't living up to the standards that we as a society expect of them. It's those individuals that these surprise inspections will bring into the foreground.

The other issue—I know I have less than 30 seconds left—is the notion that we will mandate family resident councils so that the families of individuals who live in these homes will be much more involved in developing the overall guidelines and policies that will operate in the nursing homes.

In the last two seconds I have left, let me just say this: There is nothing better we can do for elderly individuals who live in these homes than to look after them in the best way possible, and the \$191-million investment we made yesterday is a step in the right direction.

**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure to join in the debate today on the opposition motion put forward by the member for Kitchener-Waterloo. I find it interesting that it took an opposition motion from the member for Kitchener-Waterloo to get the government to make a first step toward hopefully fulfilling an election promise, and that election promise was to invest \$6,000 per resident in our long-term-care facilities.

I personally heard concern about the government's clawback on property tax from many long-term-care providers in my riding. That would have taken money from the care of residents in long-term care. Just on Mother's Day recently we saw that the government, because of all the work done by the member for Kitchener-Waterloo, has backtracked on that.

I visited most of the long-term-care facilities in my beautiful riding of Parry Sound-Muskoka, and most are

in the middle of being rebuilt because of what had been put in process by the past government: a complete redevelopment of many long-term-care facilities—16,000 beds and 20,000 new long-term-care beds that were put forward by the past Conservative government. That was after 10 long years when there were no new long-term-care beds built in this province. In 10 years when the Liberals and NDPs were in power, not a single long-term care bed was built in this province.

We've also seen, in the last couple of years, big investments in care—I believe \$200 million—by the past government, but more needs to be done. I did visit many facilities in my riding; I think I visited them all, pretty much: the Pines at Bracebridge; Belvedere Heights in Parry Sound; Muskoka Landing in Huntsville. The Parry Sound hospital, of course, is going to have a number of brand new long-term-care beds. Eastholme in Powassan; Our Lady Peace—

**Ms Smith:** That's in my riding.

**Mr Miller:** Eastholme serves more of the municipalities in Parry Sound-Muskoka than Nipissing. Our Lady Peace serves the east Parry Sound area; Fairvern in Huntsville. Most of those facilities are either just finishing redevelopment or are in the process of being redeveloped.

I spoke to the nurses and to the personal support workers in those facilities. They are generally doing an excellent job and they're working very hard. They said to me that the thing extra funding can provide for them is more time to spend with the people in their homes, more time to deal with people on a personal basis, to look after things you wouldn't otherwise have time to do. I think that's what extra funding can buy for our long-term residents.

I asked them about the prescribed baths and whether that was a good idea and, interestingly enough, the personal support workers did not think that was a good idea. I'm sure in some cases where there are bad operators you need to do that, but I personally think the unannounced visits are a good idea. You try to catch the operators who aren't doing a good job. But when I spoke to personal support workers, they said that many people who have dementia find having a bath a terrifying or traumatic experience and that there are other ways of doing cleanup. In those cases, doing a bath on a prescribed basis is not necessarily a good idea.

I'd like to briefly mention, because I don't have a lot of time, the many volunteers who help out, in particular in Huntsville. One volunteer, Vi Hipgrave, goes in almost every day to Fairvern to help out.

I'm running out of time. I'd like to say I will be supporting this motion to recognize that Premier McGuinty made a specific campaign promise of \$6,000 in care for every resident. I hope he keeps this promise.

**Mr Levac:** On a point of order, Mr Speaker: After consulting the standing orders, I realize that I made a mistake in my earlier speech. I indicated that it was the minister from Kitchener-Waterloo at the time who was responsible for the 15% increase. I am now quite aware

that it was not the former minister. It was the one after that, Minister Clement. So I withdraw those statements and apologize to the member.

*Interjections.*

**The Deputy Speaker:** Order, and thank you.

Mrs Witmer has moved opposition day number 2.

Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1749 to 1759.*

**The Deputy Speaker:** Order. Mrs Witmer has moved opposition day number 2. All those in favour will stand one at a time and be recognized by the Clerk.

#### Ayes

Baird, John R.  
Barrett, Toby  
Bisson, Gilles  
Eves, Ernie  
Hampton, Howard  
Hardeman, Ernie  
Hudak, Tim

Jackson, Cameron  
Klees, Frank  
Kormos, Peter  
Martel, Shelley  
Martiniuk, Gerry  
Miller, Norm  
Ouellette, Jerry J.

Prue, Michael  
Runciman, Robert W.  
Scott, Laurie  
Wilson, Jim  
Witmer, Elizabeth  
Yakabuski, John

#### Nays

Arthurs, Wayne  
Bartolucci, Rick  
Berardinetti, Lorenzo  
Bountriogiani, Marie  
Bradley, James J.  
Broten, Laurel C.  
Brown, Michael A.  
Bryant, Michael  
Cansfield, Donna H.  
Cordiano, Joseph  
Craitor, Kim  
Delaney, Bob  
Dhillon, Vic  
Dombrowsky, Leona  
Duguid, Brad  
Duncan, Dwight  
Flynn, Kevin Daniel

Gerretsen, John  
Gravelle, Michael  
Hoy, Pat  
Jeffrey, Linda  
Kennedy, Gerard  
Kwinter, Monte  
Lalonde, Jean-Marc  
Levac, Dave  
Marsales, Judy  
Mauro, Bill  
McMeekin, Ted  
Meilleur, Madeleine  
Milloy, John  
Mitchell, Carol  
Mossop, Jennifer F.  
Patten, Richard  
Peters, Steve

Peterson, Tim  
Phillips, Gerry  
Pupatello, Sandra  
Qaadri, Shafiq  
Ramat, Khalil  
Ramsay, David  
Ruprecht, Tony  
Sandals, Liz  
Sergio, Mario  
Smith, Monique  
Van Bommel, Maria  
Watson, Jim  
Wong, Tony C.  
Wynne, Kathleen O.  
Zimmer, David

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 20; the nays are 49.

**The Deputy Speaker:** I declare the motion lost.

#### HOUSE SITTINGS

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** Mr Speaker, I believe I have unanimous consent to put a motion with respect to tonight's sitting.

**The Deputy Speaker (Mr Bruce Crozier):** Mr Duncan has asked for unanimous consent to put forward a motion regarding this evening. Is it agreed? Agreed.

**Hon Mr Duncan:** I move that the House will sit for 60 minutes, commencing at 6:05; that each of the parties will have 20 minutes—one speaker per party, or they can divide the time; and that at the end of that hour, the

debate will collapse and there will be a deferred vote during deferred votes tomorrow.

**The Deputy Speaker:** Mr Duncan has moved a motion regarding sitting this evening. Is it the pleasure of the House that the motion carry? Carried.

Orders of the day.

#### STRONG COMMUNITIES (PLANNING AMENDMENT) ACT, 2003 LOI DE 2003 SUR LE RENFORCEMENT DES COLLECTIVITÉS (MODIFICATION DE LA LOI SUR L'AMÉNAGEMENT DU TERRITOIRE)

Resuming the debate adjourned on May 4, 2004, on the motion for second reading of Bill 26, An Act to amend the Planning Act / Projet de loi 26, Loi modifiant la Loi sur l'aménagement du territoire.

**The Deputy Speaker (Mr Bruce Crozier):** The Chair recognizes the member for Nepean-Carleton.

**Mr John R. Baird (Nepean-Carleton):** I appreciate the opportunity to rise on Bill 26, an important piece of legislation and something—

*Interjections.*

**The Deputy Speaker:** Order. If you're moving in the chamber, would you please keep it down. Sorry, Mr Baird.

**Mr Baird:** Thank you very much, Speaker. I can't believe other members are speaking while I'm trying to speak. It's something I would never do. It's a courtesy I would always extend to them, and I'm surprised, to say the least.

I'm pleased to have the chance to speak on Bill 26, the changes to the Planning Act. I have very strong objections to this bill. I think it's the wrong way to go. I think it is bad news for Ontario. I think it will dampen the Ontario economy, and I think it will cause substantial damage to the province.

This bill will simply turn the role of cabinet into that of a municipal council. Instead of setting some broad strategic parameters for development, this legislation, if passed, would force cabinet to adjudicate and determine the merits of local planning applications.

The thinking behind this bill is that the Minister of Municipal Affairs is somehow smarter than a locally elected city council. I know my city council and I also know the Minister of Municipal Affairs—well, maybe my city council is not the one to make an example of. I know a lot of city councillors and municipal people across the province, and I have more confidence in them than in the Minister of Municipal Affairs and Housing, and in the centralization of power in what has become known as the politburo at the Ministry of Municipal Affairs, where they centralize decision-making, much like they used to in other parts of the world.

*Interjection.*

**Mr Baird:** Obviously the member for Nipissing likes centralized decision-making, because that's what this piece of legislation does.

I want to associate my comments with those of the member for Erie-Lincoln, who spoke the other day and has been very active on this bill. Like me, he knows it's going to cause a huge negative effect on the Ontario economy. I think we've got to recognize that in the 1980s, around the time Brian Mulroney brought in the free trade agreement, the development sector of the Ontario economy represented 13% to 13.5% of the GDP of Ontario. Today, it's risen by 10%, from 9% to 10% of the GDP, but it's still substantially lower than it was. That has a huge effect on jobs. It has a huge effect on economic growth and on the government's ability to raise revenue, because when growth is lower and our quality of life is lower, there are fewer riches to support priority areas like health care and education.

This government talks about wanting to empower local government. Well, this bill flies in the face of that; it is inconsistent with it. It sees new powers granted to the Minister of Municipal Affairs and Housing and for the provincial government to intervene in local municipalities.

What happens if a ratepayers' group, a builder or an environmentalist does not like the local decision? They'll now be able to line up outside the Minister of Municipal Affairs and Housing's door to lobby him. Why would people bother even voting in municipal elections? They'll just lobby the Minister of Municipal Affairs and Housing. I don't think it's right to put that much power in the hands of one individual. I say to the Minister of Municipal Affairs and Housing that this will put you in a terribly awkward position that you can't hope to win on, and you should be tremendously concerned about that.

Local planning decisions will become much more political, and that's not a good idea. By extending the time lines for comment by municipalities, the government is removing some tension from the system. For various reasons, municipalities will take as long as they can to comment on an application. The government is now giving them more time. The decision may or may not be any different, whether one has 90 or even 180 days to decide that the application is now granted, to find itself at the bottom of the pile, delaying the process even further.

The legislation potentially opens up the system for further abuse by parties who would like to engage in endless rounds of ongoing discussions. Where an application is opposed, it's likely the municipality will not use the additional time for consideration. It will simply mean more delay. I am tremendously bothered by this.

Bill 26, in combination with Bill 27—the greenbelt legislation—and other tax measures, are going to have consequential effects on the home building and development sectors, whether it's housing, retail or industrial. That is a concern.

You talk about the relationship with the companion bill, Bill 27, the greenbelt legislation—we have a greenbelt in Ottawa, where I'm from, but that greenbelt is owned by the government. They bought the land and in some cases, regrettably, expropriated it at unfair rates. Of

course what Bill 27 seeks to do is simply mandate that and supersede legitimate property rights without any compensation.

#### 1810

That should be a real concern to all of us. I'm one who strongly believes that we should have property rights in the Constitution, in our Charter of Rights. I want to thank Matt Gibson for sending in some more information. It's much appreciated. There should be property rights enshrined in the charter. That is something that should have happened in the 1981-82 discussions. I strongly supported Garth Turner when he was a member of Parliament. He led an effort to encourage property rights. I'll tell you that if there's any constitutional change planned in light of a federalist government in Quebec, that's something many of us are going to be pushing for. Constitutional change is not something that the next Prime Minister, Mr Harper, has talked about, but it could be on the agenda.

#### *Interjection.*

**Mr Baird:** I hear the member for Nipissing going on. I'll tell you, Mr Harper has put together a phenomenal team of men and women to contest the election in the province of Ontario. I'm happy that I've been asked to co-chair the campaign here in Ontario, to ensure we win a lot of new seats. We have some phenomenal candidates who are equally concerned about Bill 26 and Bill 27. It will be one that we watch closely. I know that if there are any constitutional changes envisioned by the federal or Quebec governments, we'll want to talk about property rights and how they should be a fair and legitimate concern.

We should be concerned about the economic impact of Bill 26, coupled with its evil twin sister, Bill 27. The development industry has experienced a steep increase in land prices that will soon begin to directly impact the cost of new and resale housing. That's not just some obscure thing. I want to tell you what this is going to mean to a young family wanting to own their first home. Because of these two pieces of legislation, the cost of the lot for their home to be built on, whether it's in Stittsville or south Nepean, but particularly here in the greater Toronto area, in York region, Halton, Durham and Peel, is going to go up considerably. It could go up by \$20,000, \$40,000 or \$60,000. That's going to take a whack of a bigger mortgage to pay for it.

I suppose it's easy to pass these bills because someone else has to pay for the consequences of them, and that should be a tremendous concern.

**Mr Gilles Bisson (Timmins-James Bay):** My mortgage is paid.

**Mr Baird:** What did the member for Timmins say?

**Mr Bisson:** My mortgage is paid.

**Mr Baird:** His mortgage is paid. I'll tell you, there are a lot of working families in my constituency whose mortgage isn't paid, and there are a lot of people who are tenants and who want to realize the dream that comes with owning their own home. This bill is going to make it harder to do.

The triple whammy of Bill 26 and Bill 27, the evil triplet of this thing is the government's lack of support for mortgage interest deductibility, which would have been another thing to help a young family own their own home. The cost of housing is going to go up, and that's going to have an effect not just on new homes, but on resale housing. I know the member for Etobicoke Centre is going to be concerned about the effect this has on working families in her constituency. I ask her to reflect on that and to seek some substantial changes to this bill.

Coupled with the reduced supply of serviced land, what you're going to see is job losses. When things become more expensive, fewer people can afford to buy a house. For the carpenter, the bricklayer, the carpet plant worker, the real estate agent, the lawyer, what have you, there will be less work. We know that even on resale housing there is a huge amount of economic activity that goes on in that area that is going to have consequential effects, let alone on the new home, which of course is demonstrably more.

Bill 26 lacks a comprehensive vision and a relationship to strategic growth management. Let's be honest. This government has no economic growth agenda at all. It's governing on a day-to-day basis, making haphazard decisions when it does make decisions. It has no plan. We are tremendously concerned. The official opposition is tremendously concerned about the consequences of this bill.

If it was just Bill 26 alone, it would be bad. Coupled with Bill 27, coupled with mortgage interest deductibility not moving forward, it's going to be terrible on Tuesday, when Ontarians once again brace themselves to be whacked.

Perhaps I could talk about some of the issues that have been identified by industry. The relationship of planning reform to growth management: The bill must take a more comprehensive approach and use carrots and not sticks. As drafted, the bill will not address the challenges of intensification, of brownfields and of nodes and corridors. Consider other Planning Act measures such as section 42, parkland dedication, and section 37, density bonusing. The development industry is also concerned about being consistent with the provincial policy statement. I know this is something viewers will remember the member for Erie-Lincoln spoke about.

The reform of the Ontario Municipal Board is a concern. It will be a big concern for the public in terms of their confidence in the board. The extension of timelines for appeals: The development industry needs some certainty in the planning process, and this bill makes it worse.

The declaration of a provincial interest is another issue I won't go on about at great length because my colleague from Erie-Lincoln spoke to that. The declaration of a provincial interest for zoning bylaws and holding provisions is another important one.

Transition provisions: This bill has unprecedented retroactivity powers, before the bill was introduced on December 15. Retroactivity is bad. It is not good public

policy. It's becoming an increasing trend in governments around North America and in western Europe. It's become a favourite of this gang of Liberals in Ontario. We hope they'll change course. I assume nobody is innocent in this regard. But we should be concerned as legislators about retroactivity and the effects it has. The transition provisions in Bill 26 are unprecedented and are the real concern with respect to retroactivity. So that's a concern.

There was the letter discussed by my colleague from Leeds-Grenville during question period today, who spoke about the concern about the home building sector. With the budget coming on Tuesday, with the effect of Bill 26, it could get worse. We learn now that Dalton McGuinty is talking about harmonizing the PST and the GST. Sources say it's under consideration. The government refuses to rule it out and say it won't happen. Whether it is going to happen or isn't going to happen, it's causing a lot of concern out there, for people, their future and their families, particularly in the housing sector where this could add some \$24,000 to the cost of a \$300,000 home.

Even worse, if they raise the retail sales tax—people, if you're watching, Dalton McGuinty's thinking about raising the retail sales tax, so go shopping before Tuesday because he could be raising it.

I had representatives from the Canadian Federation of Independent Business come in and see me. They had their charts from last year. They were asking their members, the small and medium-sized enterprises, "What will assist in economic growth? What tax reductions would promote economic growth among the job-creation sectors in our small and medium-sized enterprises?" They had a list of all the taxes they thought would be cut and what percentage of their membership supported each. Now things have changed so much they have to have a list of what taxes they don't want increased.

For the first time on the eve of a budget, there are going to be lineups at the LCBO, because these guys over here want to raise the taxes on spirits produced here in Ontario, produced in Windsor and Bacardi in Brampton—they want to raise taxes on our Ontario wines produced in the Niagara region and they want to raise taxes on our ales and lagers. That should be a tremendous concern.

#### 1820

Getting back to the home builders and their concerns, I will read a letter sent by the Greater Toronto Home Builders' Association. I think it speaks for home builders right across the province and for the folks they work for:

"Dear Minister:

"Let me cut right to the chase. If there's any truth to the speculation that the provincial government is considering harmonizing the sales tax base with the federal government, the most productive sector of the provincial economy—residential construction, new home building and renovation—will become the least productive sector overnight."

This isn't some fearmongering Conservative MPP; this is the Toronto Home Builders' Association, speaking

for home builders in places like Stittsville, speaking to the concerns that home builders would have in South Nepean, Orléans, Greely and Manotick. They are tremendously concerned.

"It took the residential construction industry more than five years to recover from the original introduction of the GST in 1991, and there is no reason to expect anything different this time around." By way of example, he uses the \$24,000 added to the price of a \$300,000 home. That will cause great concern to home builders in Ontario. They go on.

I'll read the last part of a letter from Mark Parsons, president of the Greater Toronto Home Builders' Association:

"Harmonization will get your government less money, not more, and will shatter the home ownership aspirations of young people across the province. We trust that harmonization is not under active consideration at the moment but wanted to take the opportunity to remind you of the reasons it should never be on the table provincially."

This is the real concern the job creation industry has in Ontario. This government, with their wacky trial balloons, don't know what they're doing day by day. They're making it up as they go along, and it's starting to have effects on the Ontario economy.

With respect to Bill 26, I understand the Premier is in Washington. I know why the Premier has planned—like the Planning Act—to leave the country: because he's going to lose the by-election tomorrow night because the people of Hamilton East don't like Bill 26. They don't like the voodoo economics of Dalton McGuinty, and they're going to vote out the Liberals in Hamilton East. Tara Crugnale, a respected Hamilton business woman who has run a fine campaign, is going to be sitting right here. She's impressed a lot of folks in Hamilton East and across the entire Hamilton-Wentworth region, and she's going to be sitting right here next week. Should she not be successful, by a small chance, and the NDP candidate slips up the middle, we will bump the rump. The rump will have to go to the end and the NDP will be sitting here. And the NDP have promised that Peter Kormos won't sit beside me.

I want to thank you for the opportunity to speak to Bill 26. I hope I've put some serious issues on the table, and I look forward to listening to the comments of my good friends and colleagues opposite.

**Mr Michael Prue (Beaches-East York):** It is always a pleasure to follow my friend. This bill, the Strong Communities (Planning Amendment) Act, I have to tell you from the outset, is perhaps a good bill, but it's also fraught with difficulties.

One who understands planning will see that this has come almost full circle to where John Sewell once advised this Legislature on how to change the Planning Act. In fact, most of what is in here was contained in the Sewell commission report. Some of you will remember John Sewell. He came to this Legislature many times and was actually thrown out of the visitors' gallery more than

once over the whole megacity debate. But he was a good planner and did come with some good ideas, and we're pleased to see that some of those ideas have finally found their way into this government bill.

We have to say that the use of "consistent with" is far better than the previous legislation, which was enacted by the Tories during their eight years in government. The fact that it is "consistent with" will make the bill much stronger. Those words alone will make it absolutely strong that the policy statements must be complied with. They must be consistent with the whole range of policies that we are hoping will be appended to this bill.

We also see other changes too—that is, the bill that was passed by the NDP and then revoked by the Tories, thus necessitating, I guess, this bill coming back. The Tory bill and the whole period of time—if you go down to the Ontario Municipal Board and you look at what is happening around planning in Ontario, you will see that planning has largely become unfettered. The developers have money, lawyers and planners. The developers have contacts and contracts with people throughout the bureaucracy and, I dare say, even contacts with many members—MPPs in this House. They are able, by and large, to get exactly what they want, where they want it, when they want it and how they want it.

You will see consistently that new housing developments will come in the face of fierce public opposition. Whether they be large ones in suburban areas around cities like Toronto, London or Hamilton, or smaller infill developments in the larger cities where they simply don't fit into the neighbourhoods, they're being allowed in this unfettered development, sparked largely by the Ontario Municipal Board. They have included a huge amount of urban sprawl, and we have seen that go unchecked for the last eight years. If it was ever-growing before, and it has constantly been with us, the speed-up of urban sprawl in the last eight years has been horrific.

I challenge anyone who used to drive north of Toronto, up Dufferin Street, up Bathurst Street, up any of those streets going north of Toronto, up around Canada's Wonderland as an example. You would drive for miles—I need to be modern—for kilometres seeing nothing but beautiful, idyllic farmland. Today, you see urban sprawl. You see large homes on small lots, row after row on what was once prime agricultural land.

It is no wonder that gridlock has taken over southern Ontario. It is no wonder that you see gridlock almost everywhere. There is no transportation system, no housing system, the school systems are behind, the hospital systems are behind. The communities clamour, but there it is. You've got that dream, and you've got the developers willing to do it. I'm glad this bill is taking us back, at least in some direction, to be a little bit more sensible.

I've got to watch what I say, because whenever I say anything good, I end up in Liberal campaign literature. I'm not going to say anything too good that you can use, because I've been burned.

**Mr Bisson:** That's the danger with you guys.

**Mr Prue:** That's the danger with you guys. I try to say something nice and I get burned.

*Interjection.*

**Mr Bisson:** But then you'll use it in the next leaflet.

**Mr Prue:** Yes, you'll use it in the next one.

There are three things that need to be looked at here. The first one is that cabinet's role has been expanded. We have to question how that role is going to be expanded. If cabinet makes decisions, if cabinet can overturn Ontario Municipal Board decisions or local community planning decisions, then how does cabinet make that decision? Is it done collectively by a vote of cabinet? We don't know, because the bill is silent on this.

How is cabinet to make the decision? Is it going to be collectively? Is it going to be a majority vote? Is cabinet going to vote, the 20 or so people sitting around the table, and 11 pass it? I don't know. I doubt that.

The third way is that you leave it all up to the minister. We have a little bit of doubt about that.

Then the fourth way, the one that makes me most nervous of all, is that it's simply handled out of the Premier's office and you have the so-called whiz kids making the decision on the planning.

**Mr Bisson:** Imagine the influence the developers could have.

**Mr Prue:** Yes, the influence that would be there would be horrendous. If you're going to take it out of a non-elected body like the OMB, which I think is a good idea in some circumstances, please don't give it to another non-elected body in the Premier's office, called the "whiz kids." If it needs to come to anything, then please, make it a cabinet decision. Put down some very clear rules so that we in the Legislature know and the people out there know whether it's done by majority, whether it's done collectively, by consensus, but we don't want it to end up with the whiz kids.

1830

**Mr Bisson:** Developers will be lining up at the door.

**Mr Prue:** I'm going to get to that.

The second problem we see is that the provincial interest can override the OMB. That, in itself, is not a problem as far as we see it, provided it is done sensitively and correctly, because you have said in the bill that they can only confirm, vary or rescind the decision of the elected councils in Ontario, and as well the OMB.

It takes me back to a little bit of the history of East York. Probably the two most famous cases of the cabinet overriding the OMB took place in East York, both maybe within a kilometre of each other, both on Bayview Avenue. The first one of course was the famous case called the Bayview ghost. You might remember that if you came from the Toronto area all those years ago. It was an apartment building that was built in the 1960s, prior to East York becoming a borough, when it was still a township. There was a developer who wanted to build an apartment building overlooking the Don Valley and the Don River, and he started to put up an apartment building.

In the midst of the building, there was all kinds of debate going around the community. The reeve and the

deputy reeve were at loggerheads. It was sent to the planning department, and from the planning department to the Ontario Municipal Board. From the Ontario Municipal Board, which deemed the building should go ahead, it finally went to the cabinet of the day. I believe it was the Robarts cabinet, although it could have been Davis. I think on the very last occasion of that cabinet, and certainly for many years, the cabinet overturned the Ontario Municipal Board and made a political decision that the building could not proceed.

What happened from that point was a huge ton of litigation. The land itself was owned by the railways, CN and CP. The Bayview ghost, as it came to be called, was an empty shell of a building that stood there, prominently, just off Bayview Avenue, and decayed over the next 20 or 30 years. It was never built. It was never completed. It never formed the basis of housing. There it was, because that was the cabinet decision. No one could overturn that decision, not the developer, not the municipality. Therefore, it sat, and it sat until quite recently.

It destroyed the reputation of and finally the electoral process of the reeve. He was not re-elected. But it did one good thing for East York. It allowed True Davidson to become the reeve and then the first mayor of East York. In East York, we always like to say, "It started with True and ended with Prue," and there you are. It did very good things, and she in turn did good things for our community. But it was the Bayview ghost and the whole planning process and cabinet's meddling in it that caused this problem.

What happened when the cabinet finally made the decision and said the apartment building can't be built is that you can build 90 single family units on the land. So 30 years later, those 90 units are being built. This is at Bayview near Pottery Road. You're about five minutes from downtown Toronto on a parcel of land overlooking the Don Valley and the Don River. I don't have to tell you that these 90 houses that are being built on very small parcels of land, about 30 feet wide by 100 feet or 80 feet—that's the whole parcel. The homes on it are 6,000 square feet each and they start at about \$1.1 million, if you want to live in one of those homes.

What they are is not consistent today with what the community had planned. Because it was a cabinet order, it could not be overturned by the municipality when I was the mayor, it could not be sent to the OMB and it could not be appealed by the ratepayers. It was a cabinet order although it was 30 years out of date. I'm just warning that if the cabinet makes that kind of decision, then you might find the same problem we had in East York.

**Mr Bisson:** The Bayview ghost.

**Mr Prue:** The Bayview ghost.

The second one was just down the road. There's a place called the Brickworks or the brickyards. Some people call it the brickyards. It was the Don Valley Brickworks. It too was the subject, first of all, of planning decisions, and the majority of the members of the municipal council in East York voted to allow housing in

what was at that time a quarry. That went to the Ontario Municipal Board. The neighbours all took it to the Ontario Municipal Board with the help of some of the local politicians, a few members of council who didn't like the idea. In turn, the OMB determined that it was a perfectly feasible idea, but then the Liberal government of the day—I'm going to salute Lily Munro. Some of you remember her. She got the cabinet convinced that this was a bad idea, and the cabinet—

**Interjection:** The brochure.

**Mr Prue:** Yes, I know it will end up in a brochure, but she's not in politics, so I'm not that worried.

She convinced the cabinet to rescind that and to declare it heritage property. Today, if you go by that property, you will see that it is alive. It has ponds and streams and fish and birds. The community thinks it's the most wonderful place. We are glad that the cabinet—that's an example of why we're putting a little bit of trust. If that is what is going to be done, that is an example of how it can work well, versus how it did not work well. Those are probably the two most famous cases in Ontario. As I said, they're both in East York and they're both within a kilometre of each other.

We have here the potential for good things to happen, but we also have the potential for politicization of the process. This is what makes me a little nervous. That's why I go back to the cabinet's role. If the cabinet's role is to be expanded, then it must be very clear from the legislation and the regulations exactly how cabinet is going to influence the process and, I might suggest, for how long the cabinet's order remains extant. If the cabinet's order is allowed to be for all time and cannot be reviewed, you're going to run into the same problem that we in East York ran into with the building of the giant megahomes on the site of the Bayview ghost. If it is going to be in the short term and if it's valid for a year or two and can be revisited as planning issues may change and zoning bylaws may change or as the needs of communities may change, then perhaps it is not a bad idea.

I certainly want to tell you that in the majority of circumstances, it is my belief that the cabinet will act in a much more responsible manner in terms of community interest than I would get from the non-elected Ontario Municipal Board. Any of you who have been in municipal politics knows how frustrating that board can be to planning in a city or a town.

There is a third aspect of the bill that needs to be talked about as well, and that is the removal of the 65-day limit to hold a meeting. This has hamstrung municipalities across Ontario. If you are not able to hold the meeting, the 65 days would allow the developer to take the case to the Ontario Municipal Board without the municipality being able to involve its citizens, its planners, its agencies, the police, the fire department and everyone else who's generally called to comment. This is a good thing, that the 65-day limit is being changed. But there is a corollary to this. So if you're going to print me in your campaign literature, the corollary is—

**Mrs Maria Van Bommel (Lambton-Kent-Middlesex):** But.

**Mr Prue:** Yes, it's called a "but."

This will delay public input, because the one good thing about the 65 days was that it forced the municipalities to act expeditiously, and if they were going to call in the public, they had to do so within the 65 days. There were problems sometimes in meeting those 65 days, but the involvement of the public is paramount and it cannot be neglected. If you extend it to 90 or 100 or whatever days it's being extended to, then you need to act and put very clearly in the legislation what that is.

We also looked at, and I think we must agree that the lengthening of the deadlines is long past. The deadlines that were put in place by the NDP all those years ago were perhaps a little idealistic, but they were an attempt to get the municipalities to act more quickly on development that needed to be acted upon. The times were set, and quite frankly I think the Tories sort of left them where they were.

1840

The times that are being proposed here for an official plan amendment are from 90 days to 180 days, which is a good thing. For cities and towns that have an official plan—where they want buildings built, where they don't want them built, where they want industry versus where they want housing, where they want commercial areas versus institutional areas—that is of huge interest to municipalities. The lengthening of the time from 90 days to 180 days will allow a proper review. The rezoning is being changed from 90 days to 120 days. Rezoning, of course, is not as extensive as an official plan amendment and that should accommodate the majority of rezonings. Last but not least, the consent to sever has been changed from 60 days to 90 days.

These are OK, but I have to tell the Legislature that a municipality that really wants to attract industry or commerce or housing has a much better way of doing it than this. It has a much better way than lengthening the deadlines in order to assess and to get people interested in building. The best thing they can possibly do is to act expeditiously on development applications.

When I was the mayor of East York, we found that the best way to get development of the kind we wanted was to lower the timelines in which people were expecting to have their developments actioned. We set a goal to attract industry into East York. In fact, during that whole recessionary period in the late 1980s, early 1990s the only new factory that was built in all of what was then Metropolitan Toronto was in East York. The reason the guy came was because we said we would give him an answer to his planning development within 90 days. That was the law everywhere else too, but within 90 days we guaranteed that all the reviews would be done, that the public meeting would be held and that council would make their decision. No one else would do that; no one else could do that. In Mississauga, even the fabled Mayor McCallion told them it would take a year. We were able to do it in 90 days, and I believe that a municipality that

has the wherewithal, the intelligence and the staff to make that kind of commitment is going to attract, not detract from, development.

I did hear the previous speaker talk about detracting from development and all this stuff. I frankly don't believe it. What is essential here is making sure the timelines are obeyed whenever possible. Giving the municipality the kind of authority that they can push aside some of the developments that they may not hold to have the same significance, like someone building an extension or a shed on the back of their house, or whether you want a factory—if the municipality has that authority, that will do more for development and pro-development and industry and commerce than you can possibly imagine.

The history of all this is that the NDP put in the time frames and the deadlines because it was taking too long. The Tories shortened this, making the timelines impossible. Hopefully, this legislation will try to redress the imbalance, will try to get us back to where John Sewell originated the whole argument all those years ago.

I'm asking that this go, and I'm sure it will, to public committee hearings. It is essential that we hear from everyone—from the municipalities, from the environmentalists, even from the developers. We need to know what we can do to make this legislation proper so that we can balance the need for growth versus the enhancement of local community and neighbourhood areas. If we can succeed in doing that, then it will be a good bill. If we do not succeed, then all it's going to do is politicize an already politicized process.

**Mrs Donna H. Cansfield (Etobicoke Centre):** I'm pleased to speak to Bill 26 for several reasons. I'd like to comment, of course, on the manner in which the bill returns control of local planning to municipalities, but I'd also like to make an observation about the democratic principle that's demonstrated in the piece of legislation.

I'm going to share my time with the member from Oakville.

It is a well-accepted fact that democracy works best in government, in business and in society in general when we enable decision-making at the closest point to the people involved, but ensure that this local control is guided by well-tested and well-recognized standards with which the decisions must comply. This sounds simple but it is an extremely important principle.

When you think about it, the entire technology industry is actually based on this principle. You can buy hundreds of devices today, each with a different design and many with varying purposes, but each of these devices must comply with the particular industry standard or it won't work. That is what we're saying about this process. Good government in Canada was built on this principle. Medicare allows for local autonomy of decisions as long as they comply with national and provincial standards. Our justice system is constructed this way, and on and on.

As simple as the principle seems, this basic principle of good government and good business was ignored in the not-too-distant past. The former government took

away local decision-making powers from local municipalities. At the same time, they disrupted the setting of standards by placing control almost totally in the hands of bodies like the Ontario Municipal Board, which often acted unilaterally and often ad hoc. This disrupted the standards that should have been applied across whole ministries. Through their endeavours, in fact, universal standards disappeared, to be replaced in the public perception, at least, by idiosyncratic rules and regulations created by Star Chambers.

Bills 26 and 27, for that matter, along with a new provincial policy statement on land use planning, return the principle of local decision-making guided by defined standards. Rather than having these good and proven standards watered down with language such as "have regard to," the decisions of municipalities must now "be consistent with" standards that are subject to voter acceptance or voter refusal.

Through the changes instituted by the Minister of Municipal Affairs, our government has replaced a system that wasn't working with one that actually will work. We have returned to one of the soundest principles of democracy: local control consistent with universal standards. I note that the Minister of Municipal Affairs has said these bills and the public policy statements will make the planning process more open and more transparent in Ontario. Certainly, the setting of standards will be more open. What's wrong with open and transparent decision-making? Certainly nothing that I know of.

The setting of standards must always be open. Rightly or wrongly, the Ontario Municipal Board has been perceived as secretive, autocratic and largely a body that's without comprehensive standards. So now Ontarians will be able to see how standards are set, how they're maintained at the provincial level and how decisions are made with these standards at the local level.

I have heard and seen comments about this new legislation by groups like the Greater Toronto Home Builders' Association and the Ontario Professional Planners Institute. We have listened to, and continued to listen to, the comments and criticisms of all stakeholders to make certain we have given each fair treatment. I believe we have done this in the new legislation.

For instance, I note that the province's planning profession applauds the principle I described earlier. They say, "Communities not only need proper tools to deal with the range of issues affecting how they grow and prosper, but they need a complete range of tools to do so." They note that the public policy statement is "the tool that makes everything else work." The PPS is the set of standards that guide local land use decisions. The province's planning profession asked for clear direction on the province's priorities for environmental protection and community growth and ways to overcome conflicts. I agree, and I certainly believe that these will be provided by the Minister of Municipal Affairs.

The province's planning profession also asks that the municipalities have the flexibility to go beyond the minimum standards. I agree again that municipalities should

have the abilities to be innovative and progressive once they have met the standards of the public policy statement. I trust that the Minister of Municipal Affairs will provide this flexibility.

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Another example of commentary comes from the Greater Toronto Home Builders' Association. Unfortunately, the comments by the home builders seem to be somewhat cynical or distrustful. The association comments that the legislation is inconsistent with the goals of empowering local municipalities because many decisions will be bounced back to the minister's office. I can ask the home builders to go to the municipal councils and ask them if they had more local control under the unfettered rule of the Ontario Municipal Board during the previous government. I know that every councillor I know will laugh at that suggestion.

**Mr Baird:** Name one.

**Mrs Cansfield:** You soon will have one, sir.

The association also says municipalities will abuse the new legislation and will use it to stack decisions and stall those decisions. "It will simply mean more delay," the association says. I wonder if this means they won't be able to rush into any more projects on our now endangered landscapes. I think that's a question that needs to be put to the home builders' association.

I cannot accept that municipalities will abuse the new legislation to stall or to run to the minister with legions of problems. I ask the home builders to have more faith in the democratic process and in the people elected by the voters who represent their best interests.

I ask the home builders to accept the democratic principle that local decisions consistent with universal standards creates a system that actually works for all of us and not just for the privileged few.

Underlying the comments, however, there is a request for the continuing dialogue that must occur between the government and all stakeholders, including the home builders. Land use planning is dynamic, and we should not allow our standards to fall behind the needs of our citizens. But we also should not allow our standards or our local decision-making to be usurped again by unelected boards or agencies, nor should we allow urban sprawl to destroy the lifestyle for which Ontario is known and prized, not now and not ever.

I know that the member from Beaches-East York does not like to be quoted. However, when he says something that truly is well worthwhile, it is well worth quoting. He indicated that there may be a delay in the process of planning by the politicians themselves. But it may improve the process of planning by the politicians themselves. He indicates that it would be difficult in terms of that time frame, but I actually suggest it might be easier in terms of that time frame. I'd like to quote another member of this Legislature, Ms Munro, who actually said, "I think one of the things that is critical in understanding even the word 'planning' is that it requires decisions to be made with a long-term vision and a plan."

Actually, the member from Beaches-East York said the same thing in terms that it takes a concentrated effort,

it takes a well-planned initiative to work with the issues within a large cosmopolitan city such as metropolitan Toronto. It can't be done willy-nilly. It takes the concerted effort of a lot of people to work together.

I say to you, Mr Speaker, that I'm pleased to support this bill. I know it will receive a judicious hearing in committee and that the members of this Legislature who have the extraordinary experience that they bring to the table of having been local councillors will bring that expertise to bear.

**Mr Kevin Daniel Flynn (Oakville):** It's always a pleasure to follow the member from Etobicoke Centre and certainly on an issue such as this. Elections are fought over different issues in different ridings, and tomorrow we'll find out just what the people of Hamilton East think of how the various candidates from all three parties have addressed their concerns.

*Interjection.*

**Mr Flynn:** We're pretty well unanimous in our estimation that we know who will finish third. But tomorrow we'll find out.

If you had the same election in Oakville—

*Interjection.*

**Mr Flynn:** I think we all know who's going to finish third tomorrow.

*Interjection.*

**Mr Flynn:** The Green Party? Fourth, perhaps.

If an election, however, were held in Oakville today, the same issue would hold that was the same issue in the election last October and the issue that was fought in the municipal elections in my community in November, and that's all about planning, it's all about urban sprawl, it's about green space preservation. The one thing that the people in Oakville have caught on to is the issue that the OMB needs to be reformed.

To many people, the OMB is a bit of a mystery, but when people start to deal with it, when it starts to affect their own communities, when planning issues arise, they realize how strong a role the OMB can play in the life of their communities, in the future of their communities. People are smart enough to know that in their estimation—and it's an estimation that I share, an opinion that I share—we have a system that isn't working now and needs to be reformed. We are prepared to take that on.

Our communities have suffered as a result of the lack of OMB reform in the past, and there's a perception, certainly in Oakville, anyway—I don't know if it's true or not—among the public that developers are controlling the planning process. I'd like to see that change, and I think this bill goes a long way to allowing that type of change to take place.

If we take a look at people's interest in planning issues, they talk about urban sprawl, they talk about the environment and, as I said, they talk a lot about the OMB influence on planning advice that's given by staff. In the current situation, what happens today is that quite often a person will make an application, a company will make an application, an individual will make an application. On the very same day they go into the town hall or the city

hall to make their application, they file with the OMB to get a hearing date, on the very same day. I have examples in my own community where issues have gone to the OMB without even reaching the council table, where the 90 days have expired, the time frame has not allowed the council to consider the issue and it winds up on the OMB table. That simply is wrong. That takes the community out of the planning process. Maybe that was the intent when this was introduced, but I certainly don't believe it is the intent of our government to allow that to continue.

We've got a couple of examples of planning decisions that are underway, where we've got somebody who wants to convert a low-rise restaurant on a creek bank to a high-rise. Somebody else wants to take land that's zoned low-density in private open space and build high-rises on the lakefront. Both these planning applications are being held currently under the shadow of an OMB hearing. So what happens, in my estimation and my experience from serving as a local elected official, is that the advice that is given by planning staff is not necessarily based on good planning criteria or on the science of planning. It's based, in large part, on how they feel the application will fare when it gets to the OMB.

We hire planners. We pay them with our tax dollars to provide us the best planning advice. With the current system with the OMB, they end up giving us quasi-legal advice, and that's not the idea of the process at all. That's where the process has gone wrong. In some cases in the past—I know of examples in my own community—the OMB has actually done the site planning. I can take you, if you'd like one day, to a service station/convenience store. You can't drive through the site without driving through the gas bays. There's inadequate area for parking, there's no area for garbage storage. This was a site where the OMB actually said, "This is how the site is going to look, and you will build it this way."

Let me tell you, it works, but it doesn't work very well. I know the expertise that resides in planners in towns and cities around this province. They could have, had they had the opportunity, come up with a much better site plan than that example.

I was very proud earlier last year to be a part of the region-wide GTA task force on OMB reform. We came up with some very good recommendations as a result of that. All the regions surrounding the GTA sat down and spent about a six-month period going over things that they knew affected their own communities and how the OMB had impacted on them. As a matter of fact, the member for Beaches-East York made a presentation to that committee. I remember that. I think he did a very good job.

A lot of the information, a lot of the recommendations from that committee have now found their way into Bill 26. Hopefully, more will follow over the years to come, but it certainly is a start. I think that the vast majority of people who were members of that GTA task force, who were representing their own constituents in places like Peel, Durham, Halton and the region of York, will find that a lot of the things they wanted are contained in Bill 26.

I think we need to open up the planning process. We need to allow more time for municipalities to deal with planning applications. The extension of time to 180 days on a planning application is something that will allow the planners in the towns and cities who have to deal with these applications to do a much better job, to have good, full public input on these issues and to actually provide much better advice to the councils than that being provided today.

It's also an act whereby conservation authorities will be restored to the status they once held. In the region of Halton, conservation authorities have been responsible for places that perhaps you've visited—places like Kelso Park, Rattlesnake Point, Crawford Lake or Mountsberg. These authorities were cut to the bone by the previous government. They simply weren't allowed to do the things they were intended to do when they were first set up.

I believe we've lived on the good work of our ancestors. In the past, people were smart enough to set aside land for highways. They built provincial parks. They built transit and rapid transit in the form of subways. They understood how to plan for the future. But somehow for the past eight to 12 years we've decided we're just going to live off the work of our ancestors and forefathers and have not really contributed to that planning in a meaningful way ourselves.

Prior to the election of this government, when was the last time a large portion of green space was saved in southern Ontario? Think about it. It's been a very long time since that has happened. We built and we built, we paved and we paved during the past 12 years of Conservative and NDP rule. We built some little trails, we built postage-stamp-sized urban parks and let large tracts of green space become paved over. People want better in their planning and they expect better planning.

I'm not anti-growth. We understand that immigrants are attracted to the GTA. We understand that in this area we also have some great builders, and we have some excellent members of the skilled trades who build homes and industrial-commercial properties for us. They build places for our own children to live and raise families. We've talked for years about changing the way communities plan, but nobody has ever really done anything meaningful about it in the past decade, partly, I think, because of fear of the OMB, and also due to uncertainty over provincial policy statements.

Bill 26 makes it very clear where the province is going on planning. People want and expect better planning from local government. Previous governments simply did not give the municipalities the tools they need to do the job.

Over the years, I've had some great colleagues who have expressed a real interest in green space preservation. Some of you may have met people like Councillor Allan Elgar, Councillor Renee Sandelowsky, newly elected Councillor Tom Adams, Councillor Mike Lansdown, and a gentleman who's been around for a long time in Oakville, Councillor Ralph Robinson. They're all wonderful people and they all, over the past three to five

years, have developed such a strong interest in urban planning and protecting the environment. Groups have sprung up in my community. I think of Oakvillegreen and Hank Rodenburg, its president. They've all expressed an interest in saving and preserving the environment.

We've seen planning study after planning study in the GTA—lots of talk, but we've just kept sprawling into communities without transit. It's my opinion that Bill 26 is a very strong step forward in changing how communities are planned in a sensible way. I believe the people in our communities will express support for this. I'm hoping as it winds its way through the process and eventually to passage that it will serve Ontario well, and into the future as we plan our communities.

**The Deputy Speaker:** On May 4, Mr Gerretsen moved second reading of Bill 26. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

As a recorded vote is being demanded, pursuant to the motion passed earlier, this division is, by unanimous consent, deemed to be deferred until deferred votes tomorrow.

The House stands adjourned until 10 of the clock tomorrow morning.

*The House adjourned at 1905.*

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No. 48



Nº 48

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 13 May 2004

Jeudi 13 mai 2004



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 13 May 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 13 mai 2004

*The House met at 1000.*

*Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### ANTI-SPAM ACT, 2004

#### LOI ANTI-POURRIEL DE 2004

Ms Marsales moved second reading of the following bill:

Bill 69, An Act to prevent unsolicited messages on the Internet / Projet de loi 69, Loi visant à empêcher la diffusion sur Internet de messages non sollicités.

**The Deputy Speaker (Mr Bruce Crozier):** Ms Marsales, according to standing order 96, you have 10 minutes to lead off.

**Ms Judy Marsales (Hamilton West):** The distribution of unsolicited commercial e-mail, known as spam, appears to have reached unprecedented levels in Canada according to a recent Ipsos-Reid poll entitled E-mail Marketing 2004: Being Heard Above the Noise. The study notes that, on average, Canadian Internet users receive 197 e-mails a week, an increase of 60% in one year.

In its simplest definition, what is spam? Spam is simply unsolicited e-mail. But, as you will hear, it's the variety of intentions contained within the spam that is of greatest concern.

The control of spam is a very complex issue that requires co-operation from all levels of government. It requires co-operation of Internet providers as well as the engagement of the general public and general users of computers as to the significant dangers which exist with the escalation of spam, not the least of which is the undermining of the Internet.

What is the current status in Canada? Currently in Canada, roughly 15 billion pieces of spam are distributed every day. This was according to a recent University of Ottawa study. The study goes on to say that these pieces of spam account for over 50% of global e-mails, and it's predicted that this number will grow to over 70% in very short order.

There's not only the distribution of the spam at issue but the cost of the spam and, as I referenced earlier, the content of the spam. The cost of spam, from a business perspective, has been estimated at \$1 per spam of lost

productivity for industry. That, as you can imagine, is terribly significant.

There is an organization in Canada called the Coalition Against Unsolicited Commercial E-mail. What they have said is that spam is far more than a mere annoyance. Spam is costing hospitals, schools, governments, business and end-user consumers millions of dollars every day. Junk mail is postage-due marketing. It is like a telemarketing caller calling you collect. The cost has shifted to the recipient. Connections must be faster and storage space larger to cope with the incoming spam. Businesses must employ more people to deal with the flood of unwanted e-mails. The costs are borne by the end users, not by the person doing the mailing, as is the case with traditional direct marketing.

I ask you, can you imagine what would have happened in the infancy of television if everyone was allowed to broadcast whatever they wanted? I think we would all agree that television would no longer be the medium we currently know it to be.

There is another gentleman in Canada doing an awful lot of work right now. His name is Professor Michael Geist. He too is out of the University of Ottawa. He says there was a time when the cure for indigestion caused by Spam was no farther away than a trip to the drugstore. At this point, with your indulgence, Mr Speaker, we were going to do a spam routine. We were going to sing, "Spam, spam, spam, spam. Spam, spam, spam, spam." Unfortunately, there is no longer an easy antidote or an easy antacid for the spam we know today.

In January 2003, the annual cost of spam was estimated at \$8.9 billion for US corporations, \$2.5 billion for European business, and another \$500 million for US and European service providers. In addition to these direct costs, spam has the potential to erode consumer confidence in electronic commerce and, as a result, threaten the growth of all on-line businesses. Interestingly enough, Professor Geist went on to say:

"On the marketplace front, the government's emphasis on consumer choice with regard to ISP service is misplaced. The issue is not about consumer choice but, rather, about consumer cost. Quite simply, consumers bear the cost of spam regardless of which ISP they choose. Each provider employs a battery of marginally effective anti-spam measures that require significant resources. The cost of those resources is ultimately borne by the consumer, who indirectly pays not to receive the spam."

Also of interest was the fact that Industry Canada just yesterday released a paper indicating that they are now

going to take issue with this unwanted e-mail from a federal perspective. Interestingly enough, they have established a task force, and I met with two of those members quite by accident yesterday. It says:

"Today, spam has become an international annoyance for Internet users. According to current estimates"—and this is from Industry Canada—"spam accounts for more than half of the world's e-mail traffic, resulting in significant losses in personal and commercial productivity, as well as decreased confidence in e-commerce...."

"In fall 2004, Industry Canada will organize a round table meeting with key stakeholders to review progress on the implementation of its proposed collaborative plan to reduce and control spam. In spring 2005, the task force will present its findings to the Ministry of Industry." But this is not just a federal issue, as I referenced earlier. This is an issue that washes over both the provincial jurisdiction and the federal jurisdiction, and it certainly imposes responsibility on all of us as computer users.

**1010**

What are the other experiences in terms of the world? I will point out to you that in the United States, for example, we hear a lot about spam control, and there are currently 21 US states that have laws that regulate unsolicited e-mail. I would like to read again from the coalition against unsolicited e-mail position:

"On the legislative front, legal approaches already exist in such diverse regions as the European Union, Korea, Japan, Singapore, Australia and 30 of the American states." They say 30, but I could only find 21. "Indeed, Canada may soon be the only industrialized country without such legislation in place, a shortcoming which is likely to lead to spammers regarding Canada as a 'spam-friendly' favourable environment in which to set up shop, given our relatively lenient banking laws and advanced Internet infrastructure."

I don't think this is what we want here in Ontario, and the legislation we have put forward speaks to what is necessary to control this. In fact, there are two sections within the bill, sections 2 and 3, which will require the Minister of Consumer and Business Services to initiate consultations with other governments and with the Canadian Association of Internet Providers relating to the control of spam.

Section 4 of the bill provides that any person may give notice to the minister or the body to which the minister delegates responsibility that they wish to be on a no-spam list, and persons sending spam must first check to see if the address is on the no-spam list. The list will not be a public document, and the minister will provide only negative information from it; for example, that an address is not on the list.

Section 9 of this bill provides that wherever a message is initiated, if it is received by a person in Ontario it is deemed to have been sent to that person and the act of sending it is deemed to have been carried out in Ontario. The bill also provides for offences and punishments that are more severe in respect of messages that involve pornography. That, of course, is another issue of this bill

that's most relevant, particularly with explicit sexual activity or attempted fraud or, even more severe, the targeting of children as the receivers. It also provides a cause for civil action in nuisance for sending excessive spam and deems damage to have been caused if the volume is sufficient to cause inconvenience.

You might ask, "What is the percentage of spam?" In the information we have been able to glean, 25% of spam is adult environment, 37% of it is get-rich-quick schemes, 1% is vacation, 2% is contests, 2% is health, 4% is other, 5% is investment, 6% are Web site promotions and 18% are software offers. So clearly, governments can't do everything.

It was told to me that for a marketer to derive a benefit from using spam, they only need to have a .001% response. Clearly, for them to continue this practice, they are getting that degree of response. So we as consumers, we as individuals, must also be responsible in how we manage spam and how we do not respond to it and the like.

Mr Speaker, I thank you for the opportunity to address this bill.

**The Deputy Speaker:** Further debate?

**Mr Garfield Dunlop (Simcoe North):** I don't think there are too many mornings when we on this side of the House support two Liberal private members' bills. I'm going to have an opportunity to speak to Mr Fonseca's bill as well, but I do want to—

*Interruption.*

**Mr Dunlop:** This is very interesting. I'm surrounded here. I don't know what kind of plan this is, but I guess I have to be really careful this morning. I think it is interesting.

I guess no one has welcomed the schoolchildren here this morning; it's great to see the classes on each side of the House watching private members' hour this morning.

As I said, we'll be supporting Bill 69, An Act to prevent unsolicited messages on the Internet, and I thank Ms Marsales for bringing the bill forward, although it's probably an interesting day for you in the House, knowing what's going on in Hamilton East all day long. It will be an interesting day for all the politicians here at the Legislature.

My comments will be very brief. I just want to say that I think we live in an information world today that's so intensive. I talk to my former colleagues, people who were at Queen's Park 35 years ago, and they tell me about the letters they received and how people would respond from the ministries. People would receive letters five and six weeks later, and that was sort of the way we were doing business. Today we have this intensive amount of information coming at us all time, whether it's on your BlackBerry, your fax machine or the literally hundreds of e-mails we get—we still get dozens and dozens of letters every week.

I don't know how you folks on that side of the House find it, but I find that one of my biggest challenges in being a member of Parliament is trying to get back to my

constituents and to people who are concerned about different issues, and it adds to the workload we have.

This fits in to what Ms Marsales's bill is about. Of the vast amount of information that floats around the world today—of course the Internet has opened this vast amount of information across the whole planet—the spam type of information accounts for almost 50%, as she said earlier in her comments. I think it's just unacceptable that that type of volume flows on the Internet. We, as government, and the federal government, all have to do something about it.

I believe she mentioned—I hope I'm clear on this—that roughly 15 billion pieces of spam are distributed every day, according to a January 2004 study by the University of Ottawa in partnership with the law firm Osler, Hoskin and Harcourt. Just imagine that: 15 billion pieces of spam every day across the world. It's an incredible amount of information. Imagine if you transferred that into letters. The study goes on to say that these pieces of spam account for over 50% of global e-mail, and it's predicted that the number will grow to over 70% by the spring of this year. So, as the member pointed out in her comments earlier, it's growing at an enormous rate.

There may be a lot more complexities behind this that I'm not aware of, but the intent of the bill is certainly very positive, and if we can reduce the numbers in that area, it would be valuable not only to our constituents but to all Canadians and to people right around the world.

I understand that the federal government has been a little bit slow to tackle the problem—that's my understanding right now. A government report prepared in 1999 concluded that spam-specific legislation was really not required at that time. Of course, we now know how the Internet has grown. When I was elected in 1999, I remember that we used to get four, five or six e-mails a day. That has changed. It seems like it doubles every month and doubles again. When I go back up to my office right now, there will probably be a pile of e-mail that I'll want to look through, because you want to deal with your constituents and do the best you can for them. But I find it is just amazing how many people are using it and how much information is being sent out. Sometimes I find people will forward me a long letter via e-mail and ask me to comment on some long story that was done in the San Francisco Chronicle or some newspaper in Britain or something. First of all, it probably takes an hour to read the article and analyze it. I can tell you it is a huge amount of information.

I look forward to further comments today from my colleagues here—these really aren't my colleagues; they're filling my colleagues' chairs today. But they are colleagues in the House, and they are supporting the bill. Maybe, when we're debating the budget in a couple of weeks' time, you'll be over here cheering us on as we criticize Mr Sorbara's 2004-05 budget.

The other thing I wanted to comment on this morning is that I never knew the member had such a lovely voice, and I was hoping that song would carry on for a few

minutes and we could hear her singing. Thank you for this opportunity. We'll look forward to further comments this morning.

**1020**

**Mr Gilles Bisson (Timmins-James Bay):** Man, do I need this bill to pass, if it actually works. Most members of the assembly who have their Internet sites posted are subject to getting a lot of spam. On my own particular Web site—[gillesbisson.com](http://gillesbisson.com)—we probably get anywhere in the vicinity of 100 to 200 spam messages per day. My staff would be really happy if we were able to get rid of that.

However, this is a difficult issue to deal with. How we make this thing work, should this bill pass, is subject to what the committee is going to have to deal with. The bill is well-intentioned. We all support it. We're going to be voting for it and think it's a great idea.

The problem is, how do you make this work? By saying that a person who wants to send out spam has to check the registry—how are you going to enforce that? There are some enforcement provisions in the bill. I'm not as up on the enforcement provisions as I need to be, but at the end of the day you need some sort of a mechanism that's a strong enough club to discourage people who put out spam from doing so.

Number one, we will vote for it, we will support it, but I really think this bill has to go to committee. The committee is going to have to call some experts about how you're able to make this happen. It's one thing to say we're all in favour of trying to stop spam and this bill is a step in that direction, but the bill in its current form really needs a fair amount of modification in order to give it some initiative.

I noted that yesterday, I think, in the House of Representatives, a similar bill was passed. It had some interesting provisions in it with regard to the prevention side, how they would work it. But, as I understood it, there were fairly large fines in that bill to deal with being able to penalize somebody if they should use spam.

I wanted to take a list of the spam messages I just got from yesterday, when my e-mail was last read. Unfortunately, my staff were a bit busy this morning and they weren't able to pull that together in time. But there are more spam messages that I can't talk about in this Legislature, because it would be lewd and crude. There are all kinds of parts of my anatomy that can get bigger. There are all kinds of things to make my hair grow. There are all kinds of messages to do all kinds of wild and wonderful things, and nasty and perverse things. Quite frankly, I don't want to look at it. I find it quite upsetting to look at some of this stuff. I sometimes wonder about the people who put out this stuff. Don't they have anything better to do than put out those messages?

However, we have to look at the times you do something legitimately. You have group e-mails, for example. How are we going to capture that within this legislation? As a member of this assembly, I let people know that by self-registering on my Web site, if they want to get

information from me we'll pass that on. I'm sure that is not going to be picked up by the legislation, but I think we have to take a look at some uses of the Internet that are quite appropriate and supportive.

The approach I would like to take on this bill is to say, "We'll support it, but at the end of the day, we really need to refer this bill to committee to be able to do the kinds of things that have to be done."

With that, I'm sure other members of the caucus want to put in a couple of words on this spam issue, and I'll leave time on the clock for them.

**The Deputy Speaker:** The member for—just give me half a second—Mississauga West. I know where you're from; it's the direction I wasn't sure of.

**Mr Bob Delaney (Mississauga West):** North, south, east or west—I'm always here.

Last night, I checked my personal e-mail. Of the 231 incoming unread messages, 223 were unwanted and unwelcome solicitations; they were spam.

Bill 69 says to the holders of e-mail accounts in Ontario that your government doesn't like spam any more than you do and will work with the other stakeholders on the World Wide Web to can spam and put its perpetrators in jail.

There is now an entire sub-industry dedicated to producing and distributing unwanted e-mail traffic and the hidden applications contained in executable code inside some of those unwanted spam messages. Spam makes your software more expensive. Applications now need rigorous testing procedures and validations against thousands of permutations of vulnerabilities from such risks as keystroke capture, which sends everything you're doing on your computer to a remote computer; Trojan Horses that enter your system inside a message, inside of a so-called game or inside a free screen saver, only to execute code on your computer and cause damage to your system by deleting or corrupting files; or ad ware that allows a remote computer to store files on your machine and allows others to access those files without your knowledge and permission.

Vendors can only go so far on their own. Last year, industry leader Microsoft assigned 50,000 employees the task of building a trustworthy computing environment for its hundreds of millions of customers. The four corners of this initiative were to make their operating systems, applications and development tools (1) secure by design, (2) secure by default, (3) secure in deployment, and (4) to communicate with its customer base to keep them informed on security issues.

As users, most of us know the three sides of the security triangle: Stay up-to-date on operating system and application patches, use anti-virus software and stay up-to-date with your virus signature, and use a software firewall. But that's not good enough, even if everybody did it, which they absolutely do not. There is still little risk and there are even fewer penalties for investing your time with script and language tools to figure out a new way into an application of an operating system and, once

inside, doing something that may range from the annoyingly harmless to the life-threatening.

As an example, last week's Sasser virus, written by a German 18-year-old, spreads by scanning IP addresses of vulnerable systems through FTP port 5554. It creates a key and corresponding value in the Windows system registry that allows its executable code to run every time the machine is booted. If your patches were up-to-date, you had little to worry about, but if they were not and you were not running a firewall, your system was vulnerable if your IP address was searched. You didn't even have to open an e-mail or click on an attachment.

Internet service providers, or ISPs, now keep detailed logs that assist police in tracking the progress of a virus and tracing it quickly to its source. But what happens if a perpetrator is caught? Often prosecutors lack the legal tools to make a penalty meaningful. Bill 69 offers such tools. Bill 69 says that if you spam someone in Ontario, you commit an offence that will result in a fine, imprisonment, or both. Bill 69 also allows the courts to go after the business perpetrating spam, and after its directors as well.

As it is, spammers are frequently script kiddies out for peer recognition on a chat room or a newsgroup, or unscrupulous hucksters who seldom offer value for money with their commercial solicitations. As an example, police have learned that the author of the spam-propagated Sasser virus sought recognition for his skills as a programmer as his motive for writing the virus. Instead, he faces five years in prison under German law.

Software needs to be secure. Developers need to learn to write software that is secure by design, default and in deployment. Users need to take responsibility for their actions and to secure the entry points to their computer hard discs in a manner similar to how they secure their homes, their cars and their bank accounts. ISPs and Web-hosters need server software that can identify spam at its source and delete it early in the propagation cycle. Law enforcement officers and prosecutors need the means to find, arrest, penalize and jail those who violate the privacy of Canadian homes through the medium of the World Wide Web.

Spam is no joke. Spam is a productivity drain and an increasingly costly waste of time and resources for Internet service providers and for businesses, large and small. It clogs corporate networks and is sometimes a vehicle for viruses that cause serious damage. The cost of spam to North American businesses alone is nearly US\$1 billion annually. That is value lost, just as if the cash itself had been stolen. Spam, like insurance fraud, costs consumers who obey the law.

Canada is certainly not the Wild West in cyberspace law. Sections of the Criminal Code of Canada, the Telecommunications Act and the Personal Information Protection and Electronic Documents Act, or PIPEDA, extend legal protection to consumers and sanctions against spam perpetrators. British Columbia, and now Ontario, have joined the anti-spam crusade in provincial legislation.

As a computer user, some 95% of my incoming e-mail is now spam. I'll fight for this bill, not only because I feel it's part of the solution to secure a universal and safe global Internet, but because I'm just tired of those unending funeral plot, Viagra and hair restorer solicitations.

1030

**Mr Jeff Leal (Peterborough):** I'm pleased to have the opportunity this morning to support my colleague from Hamilton West with regard to Bill 69. I think one of the important elements of this bill, if it moves forward and hopefully is implemented, is the protection of our young people from spam.

In my case, I have a son who is six years old and a daughter who is four years old, and frankly, in terms of facility with computers, they're much more literate than their father. I came to computers fairly late in life. When you have a daughter in JK and a son in SK, they're exposed to the marvellous technology of computers at a very young age. Indeed, for children who are accessing the computer at such young ages, I think there is a real opportunity to bring in some controls to really filter out what I consider a lot of messages through spam that could be harmful in many ways—stuff that's put over electronic links.

In my case, as a former councillor, we introduced the e-mail system to city hall in Peterborough in 2000. It was implemented on the reasoning that it would make the mayor, members of council and senior staff much more efficient in dealing with the concerns of our constituents. But after a while I found it indeed was inefficient, because when I would turn on my computer on a daily basis, instead of getting the five or six messages I needed to conduct my business as a city councillor on a day-to-day basis, it was filled with 200 messages from people advertising a variety of things.

I think we'll always remember Bob Dole, the Republican presidential candidate in 1996. When that product was advertised by e-mail, I always have images of Mr Dole marching down the halls of the United States Congress. It will be forever imprinted. I think this bill is an opportunity to start the process to really get into an area that I feel needs to be regulated.

I want to quote from a Toronto Star article yesterday, talking about the federal government's anti-spam task force. It's about how criminals might be using spam—Michael Geist is a professor of Internet law at the University of Ottawa and a member of the task force: "Canada risks becoming a 'spam haven.' Geist said many criminal spam rings already operate in Canada. 'We're not talking about people operating out of their basements. We're talking about very sophisticated and large criminal organizations,' he said, adding that spammers and virus creators are now working together to exploit consumers."

I think my colleague from Hamilton West is starting an initiative here that I hope all provinces will eventually join to really get a handle on this spam that we have in our computer systems and ultimately to get rid of it, so that on a day-to-day basis we'll just have the information we really need to do our jobs.

**Mr Joseph N. Tascona (Barrie-Simcoe-Brampton):** I'm pleased to join the debate on Bill 69, An Act to prevent unsolicited messages on the Internet. This is legislation that certainly merits consideration by this House.

I would like to have known the position of the Minister of Consumer and Business Services on this, because the duties being put on the minister and the ministry are fairly significant with respect to intergovernmental consultations under section 2, and each year a report to the Legislature on what's happening with respect to spam. Also, section 3 requires that "The minister shall initiate consultations with the Canadian Association of Internet Providers."

Certainly the ministry is going to have to be behind this. From what I see of this bill, significant money and resources will be needed to make this happen and make it work, so the ministry is obviously going to have to be behind this. This is not a ministry bill; this is a private member's bill. The member obviously has good intentions, and I accept those intentions with respect to trying to bring this about. But it's not going to happen unless the ministry has the resources and the will to bring this about, and we don't know what the minister thinks about this.

The other part that needs to be addressed is section 7. It's quite confusing as you go through section 7, which is entitled "Offences by e-mail senders" and then over to section 8, which involves penalties. Section 7 deals with persons who commit offences, and there is no definition of "person" in the legislation. I would think it's not related to a corporation, not related to a partnership. It could cover officers, directors, employees or shareholders of particular companies. It becomes problematic because under section 7 it deals with "every person" and then goes over to subsection 8(5), which says, "Where a corporation or partnership is convicted of an offence under this section, the court may, in addition to imposing a fine...." Section 8 deals with "A person who commits an offence under section 7," and section 7 doesn't refer to "corporation or partnership."

That's going to have to be cleaned up, because that's confusing. You could have a person who's an employee directed by their boss to send that spam, and it's the employee who's going to be charged under here and nothing is going to happen to the corporation or the partnership involved in this particular type of activity. The member has set out in subsection 8(4), under "Forbidden to operate business," it "being the owner, director, partner, employee or shareholder," and then it goes on to deal with "Directors' punishment."

I would just say the language is going to have to be cleaned up, because you could run a truck through that with respect to a corporation. They're not going to get convicted under this legislation. A partnership is not going to get convicted under this, and neither is any other type of entity that is a non-person. Persons are covered under this, but it's actually going to be directed at the sender, and that could be the employee of that company. That's not fair, if they're working under orders, because

that's what they're there for, no matter what is going on here.

There certainly should be penalties, just like the health and safety act. I think the member should realize that. The health and safety act is designed as a tiered system in terms of there being corporate responsibility, director responsibility, shareholder responsibility, officer responsibility and employee responsibility. Those tiers of responsibility under the health and safety act all have obligations and all have fines that deal with the breach of those obligations.

This is going to have to be amended to make sure that what section 7 covers also applies to corporations and partnerships and also covers people who are office-holders within those companies. They may not have sent the e-mail but are in fact directing the activities of that operation, and they're going to get off scot-free because there's nothing to trigger getting them. I would hold strongly to that, because quite frankly, it's not going to draw any liability.

1040

The other part of the bill that I would comment on is under section 12, "Cause of action," which is an independent civil action. It reads, "(1) Any person, including an Internet service provider, who receives spam in contravention of this act in quantities that cause significant inconvenience may bring an action...." What is a quantity that causes significant inconvenience? I have no idea, and I don't know whether a court would either. It's certainly a factual test. I think it should be, actually, not absolute strict liability in terms of there being something that is in contravention of the act by sending the spam, but to qualify it by saying "quantities that cause significant inconvenience," what's the test? For a small organization with one machine and just a couple of employees, if you send 50 to 100, that might be a significant quantity, but the question is, does that cause significant inconvenience? I don't know what "significant inconvenience" is. If it stops them from working for an hour or two, that would certainly be a significant inconvenience, depending on the organization. I think that qualifying statement with respect to a civil action is going to be very difficult to understand and difficult for a court to interpret. I understand what the member is trying to accomplish here in terms of causing "significant inconvenience," but at the same time I think that's going to have to be looked at.

I have no further comments.

**Mr Khalil Ramal (London-Fanshawe):** I'm honoured to rise in this place to speak in support of Bill 69, An Act to prevent unsolicited messages on the Internet, brought by the honourable member for Hamilton West. It's a very important topic to talk about, and I'm interested because I receive a lot of e-mail on my Internet, and a lot of my constituents came to me and asked me if we could bring a bill like this to prevent such action, which creates inconvenience for a lot of people in this province.

This is a very complicated issue, especially when we live a life full of technology and with a medium that we

are not able to control 100%. I was reading the bill in detail and was interested in how the member did important research to follow it step by step in order to bring such a strong bill to help the people in this province especially. Everyone in this province probably has a computer and is connected to the Internet. Even now, through BlackBerry, we have the Internet beside us almost 24 hours. On the Internet we receive a lot of e-mails, what we call junk e-mail, which we don't want, and most of the time, when it comes in an e-mail at home, especially when we have small kids, we have e-mail that we don't want our kids to see. It's forced on us. I think the bill will help a lot in order to prevent such action which poisons our children's minds.

It's very complicated and I don't know how we can implement it, especially when we deal with technology. There's always something around it. I was reading the statistics. About 15 billion junk e-mails are received on a daily basis, which cost us millions and billions of dollars, across this globe.

I like what I read from the bill in the details. In order to implement a strong bill, we have to work in conjunction with the federal government and also with Internet providers—I don't know how we can control that—and also with the international market. I hope our Ministry of Consumer and Business Services comes with details to enforce that bill and put it alive in order to help our family, our kids, our people in this province.

Therefore, I'm here today to speak in support. I hope everybody—from what I've heard—on both sides of the House is going to support that bill.

Thank you very much for giving me this time to speak in support of that bill. I leave the time for my friend.

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to respond to the member from Hamilton West's Bill 69. I'm not going to get into much of the detail of the legislation, as my colleagues did, but speak more in a general sense.

I want to congratulate the member from Hamilton West for bringing this bill forward, because I do see, as other members of the House have already said, that this is a significant and growing concern, not only in the province of Ontario but across the country of Canada and internationally, and in fact the whole realm of intrusions into privacy. There's the notion of having some peace in our home from annoying telemarketing calls in the evenings or on weekends. There are spam faxes as well, that kind of intrusion. My wife and I have been awakened at 4 or 5 in the morning by the fax phone ringing with a junk fax coming across at that time. And of course there's the growing area of intrusions into privacy on the Internet, imposing a significant externality on users of the Internet and increasing the costs to business and in our time in going through all the junk e-mail that hits us. And there's the new area of spim, I think they call it, using Internet instant messaging services as another intrusion. You may be reading the National Post for that day and these instant messages pop up on your screen. They're not only annoying and costly, but they could be tremendously misleading ads as well.

If the bill proceeds, obviously the challenge is to ensure that laws we bring forward are consistent with the breakdown in powers between the federal ability and the provincial ability to act in these areas. But I say God bless the member for bringing it forward, because the federal action in this area has been absolutely lame. There was a very flaccid announcement this past week by Industry Minister Robillard to put together a committee to talk more about the evils of spam.

The CRTC has been consulting in this area since 2001 or maybe before that. I think that's been enough time for talk federally. We need some action in this area. The United States, Britain and European countries are leaving Canada in the dust in protecting personal privacy, particularly on these intrusions into the home, whether through the computer, the fax line or the telephone line.

At the very least, this bill, particularly if it gets support from the government and the Minister of Consumer and Business Services, can help start pushing the agenda—from what we've seen, a very weak attention to this at the federal level.

I'm reminded too about the movie *Minority Report*, where Tom Cruise's character, whose name slips my mind now, walks into a Gap store and is bombarded with ads that know what he purchases and know the size of his clothing and such. Well, that's a few steps down the road. The reality is that today, through data-mining techniques, they can put together a profile of the Web sites you may have visited, the information you've downloaded. They could tell, for example, the purchasing preferences of the member for Hamilton West without her permission, without opting in. You can do your best to try to opt out of this type of process, but you may just be giving your e-mail address to even more predators on the Internet.

This is just the beginning of the dangers to our personal privacy through the Internet—a tremendous tool, with vast and growing potential, but also great risks to our personal privacy.

I've seen very strong work and I want to commend the Minister of Consumer and Business Services for some great ideas in advancing the consumer protection agenda. His most recent legislation sounds great to me, and some interesting changes he's proposed to the liquor laws and regulations in this province, including bring your own bottle—interesting ideas. If I had only had the time, a few more months at that ministry myself.

I hope the minister will champion this bill and get some action as well at the federal level.

**1050**

**Mr John Wilkinson (Perth-Middlesex):** It is always a pleasure to rise in the House, particularly for my colleague for Hamilton West and her private member's bill, Bill 69.

I was thinking about spam. As you know, I'm a business person, so I've been part of that technological revolution over the last 20, 25 years. When I looked at spam—s-p-a-m—I thought, really, that stands for something these days.

"S" for significant. I think we've all learned today in the debate that spam is significant, that more than half,

almost two thirds, of all e-mail is spam, unsolicited. They come into your e-mailbox. You didn't ask for it. You didn't ask for it at all.

The second thing, p, is that it's pervasive. Although we have technology now that allows people to filter, or try to filter—and actually create an industry. It makes me wonder whether or not those who sell anti-spam filters are actually doing spam to create a demand so they can fill that with their product. Really, it is pervasive.

The third point, the "a," is that it's annoying. I think we've all had to deal with the terrible frustration of having to deal with this. Mr Dunlop was saying the same thing.

The other thing is "m"—malevolent. This is what we all have a great fear about as legislators, that our children, who all have the ability to access their e-mail accounts, who all have an account with Hotmail or Yahoo, are being bombarded by content that—as the member from Timmins-James Bay said, parents have nightmares about the stuff their children would be exposed to.

I want to commend the member for Hamilton West and all the members for speaking in favour of this bill, particularly the member from Mississauga West. I don't think anyone here in this House has more technical ability with regard to the whole issue of computers and software and how they work than Mr Delaney. What he is telling us, of course, is that spam is the preferred vector for viruses. So let alone the fact that about a dollar of economic production is lost for every spam. These millions, hundreds of millions, billions of spam we have to deal with are the way that malevolent people get viruses into our computers—for various reasons. Some young teenaged boys just do it because they can, and they want to prove they can do it. But we also have a security risk. We have a risk to our entire economy, when you think of terrorism. You read some of the books about where terrorists will hurt our North American economy and in the Western world in the future, and it is through this kind of cyber-war.

We are allowing a situation where billions of unsolicited spam are coming into our computers. That's why I want to commend the member from Hamilton West.

One of the things I have seen as a suggestion is that marketers, advertisers, must have an e-mail address as a source that begins with the letters "adv" to show they're advertising, or their Web site has to end with a new suffix ".adv" so you know it is advertising and can decide whether you want to have e-mails from people that start an e-mail address with "adv" or have a Web site or an e-mail address as a source that ends with "adv." That may give us the ability to separate the sheep from the wolf, the wheat from the chaff. I would commend that suggestion that I've read about in my research about this bill as a way for us to deal with it.

Finally, I'm sure that if we were to tax this stuff, it would stop in a big hurry. Not that we'd want to go to taxes, but when you look at the health and the security of

our children, I would say a penny a spam and we'd have a lot of health care in this province.

**The Deputy Speaker:** Ms Marsales has two minutes to respond.

**Ms Marsales:** I want to express my sincerest appreciation to my colleagues on both sides of the House for supporting Bill 69, but I would also like to thank some of the experts that Monsieur Bisson was talking about earlier, one of whom is Nick Bontis, a professor at the DeGroote School of Business at McMaster University, which is in Hamilton West; and Tom Copeland, the president of the Internet providers association, and Lori Assheton-Smith, who is the senior vice-president and general counsel, Canadian Cable Television Association.

In closing, I want to share with you an example of just how quickly this spam issue is spiralling out of control and how desperately we need to do something to bring it into check. I think it was referenced a minute ago, about the newspaper article yesterday giving us the discouraging report that not only is spam choking the Internet, but we have a new spam cousin on the scene called spim.

**Mr Leah:** Spim?

**Ms Marsales:** Spim.

**Mr Hudak:** The evil twin.

**Ms Marsales:** Yes. This is defined as junk being sent from instant messenger software, and as the article states, you can't even escape by leaving home. Unsolicited ads are already being sent to your cellphone. Can you imagine, Mr Speaker? There is just no privacy left.

We have to keep in mind that spam knows no boundaries, but all stakeholders have a role to play. I am just one of those stakeholders, as we all are in this Legislature. We must engage the general public. We must engage the federal government. We must engage the Internet providers' association. We must engage everyone who has an interest in communications at all levels to ensure that the complexity of the issue is dealt with, as well as the confidence in securing the Internet for all of us to use in the future.

#### OLYMPIC DAY ACT, 2004

LOI DE 2004

SUR LA JOURNÉE OLYMPIQUE

Mr Fonseca moved second reading of the following bill:

Bill 71, An Act to proclaim Olympic Day / Projet de loi 71, Loi proclamant la Journée olympique.

**The Deputy Speaker (Mr Bruce Crozier):** Pursuant to standing order 96, Mr Fonseca, you have 10 minutes to lead off.

**Mr Peter Fonseca (Mississauga East):** Altius, citius, fortius: higher, stronger, faster. Those are what Olympians strive for, Mr Speaker. But not only do they strive for those things as principles and values; they strive for values that transcend what we call the celebration of humanity, and those are the values of excellence and fun and fairness, human development, leadership, peace, respect. It is when the world comes

together under those strong values that we create this Olympic spirit.

I had the great honour of representing Canada in the 1996 Olympic Games in the marathon, and it was a tremendous experience to be able to represent our great nation. I'm running along in the marathon—I was ranked 40th in the world at the time—and there were about 126 of us in that race. When we took off on that Atlanta morning, it was about 30 degrees Celsius, 96% humidity, and I can tell you, I was not feeling really well at about 32 kilometres into this 42-kilometre race. But when I saw the people cheering and I saw a group of Canadians with that Canadian flag—I had drifted back in the pack—my head got up and I started pushing on. I crossed the line in 21st, and it was one of the greatest experiences of my life.

Now, being in an Olympic Village, for those who haven't been in an Olympic Village, it's amazing. People of all cultures, races, sizes and shapes come together, so you have Polish and Indians and Kenyans and Chinese and Italians and Portuguese; 200-some-odd nations come together in that Olympic Village. What I found amazing was that people from other nations outside of Canada, like Italians or Polish or Chinese, found it awkward to be around so many different cultures, but what is great about being Canadian and about being an Ontarian, about living in the GTA area, is that we have an Olympic Village here 365 days of the year, and we are able to live in a peaceful civic society here that the rest of the world looks upon as golden. This is our gold medal, the gold medal that we shine out to the rest of the world. That was the most amazing experience I felt, in terms of that human experience.

1100

Now, the games are about breaking barriers and pushing the envelope, achieving new heights. Sometimes we see those in terms of sport, in that somebody can lift more weight or run a little bit faster. But they've also broken ethnic barriers, social barriers, technological barriers, all the obstacles that hold us back from greatness. We think back to Jesse Owens, the barriers he broke, or Cassius Clay, who then became Muhammad Ali, the barriers that were broken by this great athlete; or we think about our team and how it united our country, the team that was led by Wayne Gretzky in Salt Lake City, our women's and men's gold medal hockey teams; or we think back to Simon Whitfield crossing the line, with his gold medal in the triathlon in the Sydney Olympic Games—all these people breaking barriers, winning.

But we also remember Jeremy Witherspoon, where he fell trying to achieve his gold medal in the long course speed skating. The thing is that when someone is not able to achieve, our hearts go out to those people. It doesn't matter if they finish first or last or in the middle; it's that they are striving for excellence. We, together, push for them, either as we watch in the stadium or, if we don't have that opportunity, as we watch on TV, as do four billion or five billion people around the world.

As to the Olympic experience, I'm going to tell you a short story about an experience I had. Within an Olympic stadium, there is a track that the fans cannot see, a warm-up track. As I was warming up for my event, I would hear the stadium just roar. It was unbelievable. It felt like the whole place was going to shake and crumble down. I was thinking, "What is going on?" as I was jogging along. I realized that what was happening was that those pole vaulters were going over that bar, one centimetre higher and another centimetre higher, and all those people were screaming. It seemed somewhat absurd to me: just for another centimetre? But no, they were screaming for humanity to break barriers. That's what they were screaming for.

That's what everybody screams for. As we work here for the people of Ontario, that's what 12 million people in Ontario are screaming for: to break barriers, to make our life better. That is what greatness is all about. Greatness is about the ability to overcome barriers that seem unending. It is to conquer mountains that seem insurmountable, to rise above one's fears and triumph over pain. It's to push ourselves and, in so doing, inspire others. For us to achieve greatness, we must do great things, take great strides and change the world, starting with ourselves. Like an Olympian, we each represent our race, culture and country and should strive to be agents of peace and change. Through our actions and by working together, we make ourselves aware and gain an understanding of what we represent and of ourselves. This is greatness.

It would be appropriate to recognize the fourth Tuesday of September as Olympic Day, a day that celebrates Olympism and the seven values of the Canadian Olympic Committee.

Now, the Canadian Olympic Committee contacted Avril Lavigne and asked her about the Olympic Games, and Avril said, "What's important about the Olympic Games is not where the athletes come from or what they look like, but playing fair and doing the best they can." Nelson Mandela made a statement about what Olympic spirit is all about.

**Mr Bob Delaney (Mississauga West):** An honorary Canadian citizen.

**Mr Fonseca:** An honorary Canadian citizen, as my colleague from Mississauga West says.

The Olympic Games remind us that competitors can be friends and equals a far greater percentage of the time than they will be adversaries. Even though the competition is fierce, the rivalry ends when the event ends. This message is fittingly delivered by Nelson Mandela, whose life has exemplified peace, hope and equality.

Another great individual making great strides in pushing the Olympic spirit is Christopher Reeve. Often at the Olympic Games, even when competitors don't reach the podium, they reach into their hearts by representing the very best humanity has to offer. Christopher Reeve demonstrates the power of inner strength. He defines the core Olympic values of joy and effort and inspiration, just a few of the many things that make the Olympic Games so special.

We talk about character and the character we want to build in our kids, our youth, and everybody in this great province. I say that as we build strong communities, we incorporate those values of excellence—the right of all people to pursue their personal level of excellence, which could be in education or in any endeavour they desire; of fun—the path to greatness should not be seen as competitive nor as a chore, but rather as an enjoyable endeavour that we undertake for ourselves and with others; the great one of peace. Through our actions and by working together, we make ourselves aware of what we represent and increase our understanding of ourselves. In so doing, we become agents of peace and change.

That is why I feel we should proclaim Olympic Day. Olympic Day is represented in Ontario 365 days a year and is something we live by every day. Thank you very much for being able to speak on these great values.

**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure to join in the debate today on Bill 71, An Act to proclaim Olympic Day, put forward by Mr Fonseca, the member for Mississauga East.

First of all, I'd like to congratulate Mr Fonseca on being one of the few who manage to get to the Olympics. That's certainly a great accomplishment. I think it's something many of us dream about doing, but very few of us actually have the ability and are able to do all the hard work that makes them able to make the Olympics.

I know that in my younger days, a sport I very much enjoyed was downhill skiing. I spent just about every spare moment I had in my high school days racing and competing, dreaming about being on the Canadian Olympic team, skiing at a very small ski hill just north of Bracebridge—well, a small one by Bracebridge called Rainbow Ridge, which no longer exists, and then at a little family place called Curlew, just south of Huntsville. It no longer exists either, but it was a small place where families participated. A race, I think, lasted about 20 seconds on the hill; it was that small. But there, I still aspired to be in the Olympics. I raced hard and to the best of my ability—obviously not good enough to be in the Olympics. But from that small ski hill, we actually did have a person who made it to the Olympics. Liisa Savijarvi competed in Sarajevo in the 1984 Olympics and had a great career on the World Cup circuit as well.

Really, what is to be accomplished by this bill? I say it's putting forward Olympic values, the glory of the hard work paying off, the achievement that comes from that, but I also think the greater societal goal has to be that we encourage more people to become physically active and to develop a healthy lifestyle. In my case, I still ski and enjoy cross-country skiing as well. I'm involved in lots of other sports, none that I'm very good at, but I still enjoy them and keep fairly active with those.

1110

I think that is the goal that can be accomplished by a bill such as this. If we can encourage more people, if we can develop in more young people especially an interest in sports and physical activity, then that's a very worth-

while thing. It will benefit those individuals in terms of a much better quality of life. It benefits government as well, with things like less cost for the health system down the road as we have more people that are physically active and in better shape.

I think there's certainly a role to be played by schools as well, in the physical ed departments in schools. I remember through my youth having some great phys ed teachers: Art Luker in public school, and Lanny McQuain and Bob Barrett in high school, who did a great job of introducing their students to many different sports. I remember Lanny McQuain was the coach of our downhill ski team. He himself hardly skied at all but still managed to get us to achieve to the best of our abilities. He did a great job. I think there needs to be more phys ed in schools. In fact, I think it's a good idea for it to be mandatory.

I think this bill is really about developing more of an interest in our young people in becoming physically active, and recognizing that the Olympics play a role in getting more of us to work toward a physically active lifestyle.

On that point, I think we need to look around this room a little bit at the MPPs. Maybe we should be starting the MPP Olympics, as a possibility, to encourage physical activity around here.

**Mr Hudak:** O'Toole would win the long-distance speaking contest.

**Mr Miller:** Yes, and not the long-distance speaking contest either, that Mr O'Toole would certainly win, as you say.

Anyway, I will be certainly supporting this bill. If it goes a way towards getting more of our youth active, I think it's a worthwhile thing.

**Mr Khalil Ramal (London-Fanshawe):** I'm honoured to rise a second time in this House, to speak in support of Bill 71, An Act to proclaim Olympic Day. When it comes from an Olympic champion, Mr Fonseca, the member from Mississauga East, I believe he's just the perfect person for the perfect bill. I was listening to him, the details of how he described the value of that day, the importance of that day. I believe he stated it very well.

The Olympics are about breaking the barriers among all the international athletes who come from everywhere. Despite their colour, their religion, their ethnic background, all compete on the same level. All they care about is doing their best in order to represent their countries.

Mr Fonseca had the honour to represent Canada in 1996 as a runner. When he spoke with passion about the importance of this bill, I just felt him running right then. I can see him running with full passion, trying to encourage others to follow his path.

Another important thing for this bill is to encourage people to be physically active in order to get healthier, which was our mandate and our commitment to the people of this province, to encourage people to walk and do some kind of sport—any type of sport—in order to strengthen their health.

I come from a city, London, Ontario, where we encourage a lot of sport. We try all the time to convince all the games to come to London. We had the honour in 2001 to host summer games along with the city of Woodstock, St Thomas and Grand Bend. We had a wonderful time. Athletes came from all over Canada to be part of that competition. We had a good, good time because London has great facilities. We have a great river, a famous river. Also, we have the John Labatt Centre. We have a lot of hockey arenas, a lot of fields, to enable athletes to compete in Olympic rules and fashion.

We were happy when we heard the announcement last week that we are hosting, in the year 2005, the Memorial Cup. All of that because our city, London, our council, our mayor, don't save a minute where they're not soliciting, talking, trying to promote health, trying to promote the Olympics, trying to promote sport as a way to put people together, to break barriers, to help people be physically active and also to get more people to come see our beautiful city of London.

Today Mr Fonseca, by introducing this bill, is trying to put people on the right track, the right way, in order to help the younger generation be involved in soccer, running, hockey, baseball. All these activities are very important to us. I would encourage every member of this House, in order to continue our message, to encourage constituents, to support the bill and support all physical activities—I hope also from both sides of the House. The support of the bill is very important to celebrate and talk about the importance of Olympic Day, in order to have a healthy generation, a healthy community. I go back to the Romans. They used to say, "A healthy mind comes from a healthy body." Therefore, I'm supporting the bill, and hopefully everybody in this House will support the bill along with me.

**Mr Jeff Leal (Peterborough):** Indeed, it's a pleasure for me to support Bill 71, An Act to proclaim Olympic Day. I had the opportunity to do a little research with the National Library of Canada. Bruce Kidd, outstanding Olympian and athletic director for the University of Toronto, has written a series of essays about the history of the Olympic movement in Canada. I just want to quote from Bruce's essay:

"Canadian amateur sport constitutes one of the longest-standing nationalist movements in Canada. In the year of Confederation, Montreal dentist and lacrosse player George Beers established the National Amateur Lacrosse Association to instill self-discipline and a sense of citizenship among athletes through the orderly conduct of games and to foster pride in the new nation through dramatic athletic performances in international competition. Subsequent amateur sports leaders adopted these goals and when they joined Pierre de Coubertin's modern Olympic movement in the early 20th century, they made Canadian Olympic teams the flagship for these" very worthwhile "ambitions."

"The first Canadians to compete in Olympics did so as individuals or as members of local clubs. Canada's first Olympic champion was Toronto Lacrosse Club star

George Orton. At the 1900 Olympics, Orton, who was studying at the University of Pennsylvania, travelled to Paris with the American team and took the gold medal in the 2,500-metre steeplechase and the bronze in the 400-metre hurdles. The requirement that athletes compete as members of national teams was not established until the games of the IVth Olympiad in London in 1908.

"At the 1904 Olympics in St Louis, Canada took four gold medals. Étienne Desmarteau of the Montreal Police Association won the hammer throw and George Lyon of Toronto's Lambton Golf Club won the golf competition. The Galt Football Club and the Winnipeg Shamrock Lacrosse Club won titles in their respective sports. In 1906, at the so-called Interim Games in Athens, Hamilton runner Billy Sherring, sporting a large green shamrock on his chest, won the marathon. Despite their local affiliations, these athletes' victories were quickly acclaimed for Canada, and whetted public opinion for the Olympic Games."

But also the great elements of Canadian citizenship were shown during the 1936 Olympic Games in Berlin. We know that those games were quite controversial because "The Nazis' murderous treatment of Jews, trade unionists and so many others ignited an international protest." While Canada did send an official delegation to the Berlin games in 1936, a number of Canadian "athletes like speed skater Frank Stack, race-walker Henry Cieman, and boxers Sammy Luftspring and Norman "Baby" Yack decided not to go," in protest that the Nazis were violating many of the citizenship principles that we hold dearly. Indeed, those individuals actually wanted to protest by going to the People's Olympics, which were held as a counter Olympic event in Barcelona during that same time.

"The revitalization of amateur sport was furthered by the government of Prime Minister Pierre Trudeau, first elected in 1968. An enthusiastic participant in physical activity himself, Trudeau believed that the performances of Canadian athletes in international competition sharpened the 'image Canadians have of themselves.'" In the face of Quebec separation, western Canadian regionalism and the anger of Aboriginal people and others, Trudeau thought that the Olympics, the spirit imparted by the Olympics and the example that Olympians showed in their citizenship were models of Canada, and I believe my colleague's bill will help support that ideal.

1120

**Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale):** It's indeed my pleasure to have the opportunity to speak on Bill 71, presented today by my esteemed colleague the Olympian from Mississauga East.

When we think of the Olympics, we think of sports and competition. But the Olympics are so much more than that. Let me talk a bit about the history of the Olympics. We all know that the ancient games were taking place in 776 BC. The games took place in four cities in ancient Greece. The names of those cities were Olympia, Nemea, Delphi and Isthmia. At the start, the ancient games used to last only one day, compared to the modern games, which last 16 days.

The founder of the modern Olympic Games was a French nobleman, Baron Pierre de Coubertin. In 1894, in Paris, the International Olympic Committee was formed, and it was agreed to hold the Olympic Games every four years. It was hoped that the athletes taking part in international competition would promote peace and friendship between their countries. The most important thing in the Olympic Games is not to win but to take part. The essential thing is not to have conquered but to have fought well.

As I have said before, the Olympics are so much more than sport; they represent core values. These core values, as put forward by the Canadian Olympic Committee, are excellence, fun, fairness, human development, leadership, peace and respect. In my own riding of Bramalea-Gore-Malton-Springdale, many organizations portray these values in the work they do on a daily basis.

In Canada, the summer Olympics were held for the first time in Montreal in 1976. Unfortunately, politics have affected the games at different times.

Another aspect of the games is that they have become commercial in recent years. Television rights are sold, and large companies sponsor events and teams. Some people think this is a bad thing, but it provides the money to build facilities that allow athletes to train and increases public awareness of the Olympic movement.

At the end of the day, the Olympic Games are an inspiration for the whole world. Friendships are built through participation in sport. The performances of the best athletes in the world can inspire all of us to achieve our own potential. The efforts of those who do not win Olympic medals can also be an inspiration to young people across the world.

Olympic Day, which this bill is all about, is a part of the worldwide commemoration of Baron Pierre de Coubertin's convening of the first meeting of the International Olympic Committee in Paris in 1894 and the founding of the modern Olympic Games.

In closing, I would like to give my support to this bill, which has been put forward by the member from Mississauga East. I would request that all members of the House, on both sides, support this bill, and I'm proud to do so.

**Mr Joseph N. Tascona (Barrie-Simcoe-Brampton):** I'm certainly pleased to join the debate on Bill 71, An Act to proclaim Olympic Day. The values that are in the bill are certainly not just about the Olympics and the values that athletes display. If you wanted to rename the bill, you could call it "An Act to proclaim Volunteer Day," for the values that volunteers put forth every day to make their communities better places to live in.

The values that are set out in the bill are excellence, fun, fairness, human development, leadership, peace and respect. Those seven values are something that obviously make a community better and permeate our society in terms of what we're trying to achieve. Certainly the Olympic tradition, which the member is putting forth—when you look at those values, I remember one movie that caught my attention, and probably a number of

people in the audience have seen it, Chariots of Fire, great movie that depicts not only the politics but also the greatness and fair play of the athletes who participated from the United States, the United Kingdom and Scotland, to name a few, in terms of what they were trying to accomplish.

I think the seven values set out in the bill are very special. They denote what's special about our society. I can think of people and organizations in my riding that exemplify those values; to name a few, Sam Cancilla, who was just given the Paul Harris Fellow award by the Huronia Rotary Club for the work he's done for the community, from being involved in the Allandale Recreation Centre to Victoria Village, which is a new seniors' facility in our riding, a state-of-the-art facility that was opened last year. The Minister of Health and Long-Term Care, George Smitherman, was there to open that facility. It's a state-of-the-art facility for seniors' care. Also involved in that project was Jean McCann.

I was out the other night at the Royal Canadian Legion, which has a Citizen of the Year award, and that was awarded to Jean Colbert, who is very involved in the Scout movement and a selfless worker at the Legion. The people at Legion branch 147—the president up there, Royden Johnston, and Debbie Cook—are serving people day in and day out and trying to make our community better. There are also Neil McKinnon, the president of the Army and Navy Club, Chuck Byron and all the volunteers who make up those organizations. They give hundreds of thousands of dollars each and every year to different organizations within the community to make Barrie a much better community.

The work that's done by the service clubs—the Barrie Rotary Club, of which I'm a member. I'm very proud of the fundraising activities and the initiatives they're undertaking. One is for the cancer care centre that's going to be built in Barrie. They're going to have a standalone facility by the cancer care centre for the families of people afflicted with cancer to be able to stay close to their family members. That's a great project among many they have undertaken.

You have to salute the volunteers who work in the hospitals each and every day, whether it's Royal Victoria Hospital in the north end of my riding or Southlake Regional Health Centre or the nursing homes. Those are the unsung heroes who represent the values the member has put forth, each and every day, to make other people's lives better and to make our communities better.

1130

There is the work that's been done in the south half of my riding. Sylvia Luxton was second to none in the setting up of the Danube seniors' centre to serve the seniors in the area and to provide a bus service. The seniors there and the people within that community and the work they do, whether it's CarrotFest or dealing with other initiatives—I was at a haircutting event the other day where the mayor raised \$12,000 for the hearing loss part of Sick Kids Hospital. He had all his hair cut off his head, and his beard too. I didn't even recognize him

when he came up to me at a 50th anniversary. I got my hair cut that day; as you can see, it's still fashionable. We raised \$19,000 in total for that day. It was great. At Mary and Vita Hair Design in Bradford, they do that event every year and give that money to the Sick Kids Hospital.

Also, just to name a few of the people in Innisfil, there are Larry Wilkins and Gord Walker and all the events they put on in the community, and of course there is the work the people do at Sandy Cove Acres.

The features and the values that are in here—excellence, fun, fairness, human development, leadership, peace and respect—all are depicted whether it is our Olympic athletes or our day-to-day volunteers who make our society better.

**Mr Tony C. Wong (Markham):** I'm happy to rise and speak in support of Bill 71. I want to start by saying that when I read the preamble, where it refers to "the pursuit of excellence, innovation and success," it sounds familiar, and yes, this also appears in some of our economic development literature in Markham. Many of our IT companies have done exactly that. This is the point: Whether it is the pursuit of business or the pursuit of volunteering in the community or public service or the various pursuits of academic excellence, this also applies.

I want to speak about one of my good friends in Markham, Bill Crothers, who is the chair of the York Region District School Board of trustees. He is also a former Olympian; I think he ran the 800 or 1,500 metres. He has taken on so many challenges over the years. We know that York region has experienced phenomenal growth in population, but also a phenomenal growth in terms of diversity. We've said that diversity is our strength, but it also comes with challenges, of course, and he has always been able to deal with these challenges, day after day, with strength, optimism and persistence. I'm sure that Olympic flame is still under his belt today.

I want to talk about my personal experience in 1976. I came to this country in 1971, so it was only five years after that when I was in Montreal for the 1976 Olympics. I was just so impressed and proud to be a Canadian at that time, hosting the whole world. It was a very important experience for me. I think we should all be proud in pursuing this experience and this spirit.

The member from Mississauga East talked about there being an Olympic village right here, and that was so well said. I think many new immigrants have not heard of, never mind Sir John A. Macdonald or Cartier; they probably have not heard of John Diefenbaker or Lester Pearson. But the Olympics, oh yes, they've heard of that and they know about it very much. This is something we can all rally around, and even for you, this is going to be a fun item. We've said so many times that, yes, there are so many problems with our youth, but what have we done? I think proclaiming an Olympic Day is an event that we can support and they can also support.

I want to very quickly talk about another experience, a personal experience of mine, and that's the Special Olympics. In the year 2000, York region hosted the Ontario Special Olympics, and I was able and proud to

support that. I still remember their slogan. It goes something like this: "Let me win, but if I don't win, let me be brave along the way." That is the spirit of Olympicism and Canadianism.

**Mr Michael Prue (Beaches-East York):** I rise today to support this motion that the fourth Tuesday of every September be Olympic Day. In our hearts, though, I think every day should be Olympic Day, quite frankly. I'm not sure why that particular date has been chosen because when the Olympics fall, they're almost always in the summertime: July, August. This is perhaps a period of reflection when the Olympic athletes come home after winning so many medals.

In the world today, and in Canada, in Ontario and in this city of Toronto, support for the games is widespread. It is hard to find a person who thinks we should not participate in the Olympic Games, although you will occasionally find people who are thankful the Olympic Games did not end up in Toronto because of the expense, cost overruns, political problems, security and everything else that is associated with the modern games. People are not always clamouring to host the games.

Personally, when I was on city of Toronto council and as the mayor of East York before that, when the idea was first floated by the mayor of North York, who was then Mel Lastman, we all embraced the idea that Toronto would be a perfect location for the Olympic Games because of our multicultural bent, because we literally had people from the four corners of the world here and because we had a great deal to offer in an almost idyllic situation, with the lake and the facilities we have in our community.

Having said that, we still embrace the Olympic Games, whether they be held in Beijing or Atlanta. This year they're going to finally be held in a place where I think they are most appropriate, in Greece. Greece of course is the home of the Olympics.

The Olympics have changed a great deal. When people talk about the Olympics in ancient times, they are really talking about a very different Olympics than the Olympics we have today. If you do some research, if you read about the Olympic Games you will discover, to the surprise of many, that the Olympic Games were religious in significance. They were primarily a religious institution, set aside at the time of the harvest to praise the goddess Demeter, and also to praise the other gods of the whole pantheon of Greek culture as it existed at that time.

It was a time of pride of small villages in the Peloponnese, which sent their champions to the games. The games were running, wrestling, hammer throws and discus. They were probably much smaller than we have today. It was those small villages in the Peloponnese that 3,000 years ago sent their champions off to the games every four years. Their champions came back with glory for their village.

In fact, the Olympic Games did not go beyond Greece until the time of the Roman conquest. People are surprised that the Olympic Games were entirely a Greek function. People would literally come from the four

corners of Greece up until the time the Romans invaded and successfully conquered that nation, at which time they became more than pan-Hellenic. They actually became pan-Romanic, so that people from the four corners of the world, as it was then known, from Egypt, Greece, Rome and what is modern-day France and Germany, would come to participate in those games.

If you've ever had an opportunity to travel to the original Olympia, it is a place of great and extreme beauty. The great religious monuments were there. The temple of Zeus, which was one of the seven wonders of the ancient world, is there. The track is still there. It was a place revered in ancient Greek and later Roman culture.

The Olympic Games were also very different in that women did not participate. This is a modern invention of this century. The only woman who was ever allowed to enter the ancient Roman and Greek games was the priestess of Demeter, which harkens back to the agricultural roots of the original games. She was the only woman who ever set foot or who ever saw the actual games. She didn't participate, but she saw the athletes perform.

#### 1140

The modern Olympics are much different. They are of course a worldwide spectacle. They are watched by billions of people every day, billions of people who watch the spectacle, who cheer on their champions, particularly the champions from their own nation, but who also watch to see the spectacle of sport in its raw and most beautiful way, which is with gifted amateurs and not so many professionals—although that too is now creeping in, as we know only too well with our Olympic hockey team, which is made up of more professionals than amateurs. But the summer games to this day mostly remain amateur-driven, and that's a good thing.

We have had experience in this country of the Olympics at Calgary and Vancouver and Montreal—or they're about to come to Vancouver—and we have seen that it is an absolutely good thing.

To celebrate the Olympics is to celebrate sport. Although we are supporting this, as a culture we need to start looking at what the state of sport is in this country. That's where you have to know that the state of sport in this country is not where it should be. It starts with children. It starts with having schools open in the evening so the kids can play basketball. It starts with having playgrounds open without user fees so they can play baseball. It starts with having the cultural centres and community centres open without user fees so every kid has an opportunity to participate regardless. If you can do that, then you will have a whole cadre of people who one day might be Olympians.

I was driving in today and heard the news. The news was not surprising, not shocking, but it had to do with people selling clothes in Canada. The Bay, a veritable Canadian institution, has made a decision that they are going to put most of their marketing into the plus-sizes because the market for plus-sized clothing in Canada is rising three times faster than it is for ordinary clothing.

That has to tell us something as a people. If we are now putting all of our marketing into plus-sized clothing it is because more and more of us are becoming plus sized, and this is because fewer and fewer of us are getting exercise and we're starting to eat things that maybe we shouldn't. We need, as a culture, to reverse this. Passing this bill is one aspect.

But what we're asking, and what we'll be asking and looking for on Tuesday when the finance minister comes in, is: Where is the money going to go for our schools? Where is the money going to go for our sports groups? Where is the money going to go to our communities? We need to know that user fees will be a thing of the past, particularly as they refer to children and young adults. They need an opportunity to participate in sports and all that will come from that. We need to know that the school boards won't have to look for money and rent out the facilities but will freely open them to all kinds of community activities, as they did only a few years ago. We need to know that the community groups can spend time actually helping the kids learn about the sport, rather than spending all their time selling chocolate bars and fundraising. We need to know that groups like those who were here yesterday with Community Living can anticipate that there will be money for them for things like the Special Olympics, money so their athletes can have an opportunity to participate. The fees for some of their groups have gone literally from nothing to \$2,000 and \$3,000 per participant. We need to know that that is a thing of the past.

So we look to the member and we look to his party and say, good bill. Make sure that the Minister of Finance does the right thing on Tuesday next week by virtue of all the citizens of this province, particularly our young. Thank you very much.

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise today to make a few comments on Bill 71, An Act to proclaim Olympic Day.

I congratulate the member, Mr Fonseca, for bringing forth this bill. It's a nice bill. It's a warm and cozy bill. I mean, who wouldn't want to support an Olympic Day proclamation?

It's important that we acknowledge our Olympic athletes. I can think of a couple of people I wanted to just put on the record today who have been very involved in the Olympics over the years. I've got a gentleman in my riding—whose name is Walter Henry. Walter was in the boxing divisions through the 1960s and early 1970s. He worked extremely hard and trained. He got a lot of publicity in our community and the community of Orillia where he's from. In fact, today he's married to Chief Sharon Stinson Henry of the Mnjikaning First Nation. He has worked hard over the years and has been just a class act for the city of Orillia, as have all the members of his family.

Growing up and getting to know a little bit about the Olympics, Walter was somebody we all looked up to in our community. He was an example of what an Olympic athlete was all about. They didn't have a lot of money to

train, didn't have a lot of money to advance their careers, but with self-determination and hard work they managed to get to that level of other careers. Walter, in fact, won a few medals at the Olympics—I believe it was in Mexico City—which was the highlight of his career.

I also wanted to say something—I know how hard the Olympic Committee worked here in Ontario a couple of years back, trying to secure the Olympic Games for the city of Toronto. We have a facility up in our riding called Hardwood Hills. It's operated by a young lady named Kim Vinney. Last night, Kim was nominated Businesswoman of the Year in the city of Orillia. Kim worked extremely hard, building her business up in the area with biking trails, cross-country biking and cross-country running. If we had gotten the Olympics in Ontario and for the city of Toronto, hers had been pre-chosen as the facility that would house a lot of outdoor sports. It's just a great facility. If anybody hasn't been to Hardwood Hills, it's one of the best cross-country ski trails and mountain biking trails that we have in Ontario. I thank Kim for that. I know how much she wanted the Olympic Games, but it didn't come about.

Of course, we're fortunate—and I think that's one reason we need an Olympic Day. I hope that at some point this can actually occur because we, as Canadians, have been fairly outstanding in the fact that in recent decades we've had Montreal, Calgary and now we're about to have Vancouver. The fact that Canada has been a leader in promoting the Olympics and hosting the Olympics here in our country says a lot for the country and the stature we have around the world. We are considered one of the greatest places in the world to live. I think that's why a lot of the people, when they're selecting the Olympics, actually choose Canada at different times.

There's one issue I have with the Olympics: the lack of funding for a lot of our athletes. I know it's not too bad if you're a hockey player now, certainly if you're one of the NHL players and you get chosen for one of the Olympic teams—particularly the men's league, of course. They won the gold medal in 2002, and we were very proud of them. However, they are professional athletes and have earned large salaries. The women who won the gold medal for us are not professional athletes and they have some funding issues around that.

If there's anything we can do—maybe promoting an Olympic Day. One thing that might help us help Olympic athletes is the fact that if we had an Olympic Day and there's a proclamation, it might go somewhat toward securing more funding, and it may be some money at the provincial level. I'm not saying it's something that Minister Bradley or Minister Sorbara should come up with money on immediately, but when they're national sports and we are representing the nation, I think the federal government has a large role to play. There's no question: They have not been there for our Olympic athletes. As far as I'm concerned, they've never been there for our Olympic athletes. I hope that at some point in the future we can properly fund the training of these

young men and women who represent our country in such a great manner.

**1150**

I think the bill is a very positive bill. As we look to the future of our country, it's something that, when you specify any day, it adds to your province or your country's spirit. I don't know if Mr Fonseca spoke to this at all, because I came in late on it; I'm sorry. It may be something that could be a worldwide bill: Many countries could use Olympic Day. I don't know if that's what your intention is or not, but I can't see why that wouldn't be the case. Each year you celebrate an Olympic Day and it's proclaimed across the world—not a statutory holiday, but certainly promoting the fine work that our Olympic athletes provide for our country. So I thank you for the opportunity to speak today. We'll be supporting the bill, and I congratulate the member for bringing forth this bill. It's a nice bill to have, and I think we'll get the support on it.

**Mr David Zimmer (Willowdale):** It's my pleasure to rise and speak in support of Bill 71. This bill is about recognizing the value of the Olympic spirit. These values are: hard work; fair play; respect for others of all religions, creeds, nationalities; and respect for the values of competition. These are Olympic values, but these are also Ontario values. These are the values that make Ontario a great province and will continue to make Ontario a great province: hard work, fair play, and respect for all races, all colours, all creeds and all nationalities.

Let me say a word about the Olympic spirit recognizing competition. If Ontario is to succeed in the global economy, we must be good competitors; we must have great respect for competition. This is an Olympic value which, by the adoption of Bill 71 and the recognition of Olympic Day, will enhance and underscore the importance of these values.

In short, the Olympic template, the Olympic spirit, is also a template for a successful Ontario. It's for this reason that I rise in support of this bill.

**The Deputy Speaker:** Mr Fonseca, you have two minutes to reply.

**Mr Fonseca:** I'd like to thank all my colleagues for speaking on Bill 71, An Act to proclaim Olympic Day: my colleagues from London-Fanshawe, Peterborough, Bramalea-Gore-Malton-Springdale, Markham, Willowdale, Parry Sound-Muskoka, Barrie-Simcoe-Brampton, Beaches-East York and Simcoe North. I'd also like to mention another member here, Mike Colle of Eglinton-Lawrence, who was actually a coach at St Michael's College School and helped at the early onset of my career on going to the Olympic Games. I do know that many of the other members here make such a huge difference in their communities to create future Olympians—and when I say "future Olympians," I don't mean just in sport; I mean in Olympic spirit: those that strive for the values that we have said, in terms of respect, peace and excellence, those who have that self-discipline to give back, and so much that they do give back to their communities.

Yes, this bill is about active living. Everybody who's listening today should go out for a walk, a bike ride, a jog

or go swimming. There are so many things you can do to get in a little bit more active living. Try to get everybody in Ontario to do 20 minutes a day of active living. It's about values of peace and respect. It's about pride. It's about celebrating our successes, and the many successes that we have had. Often, we focus many times on our failures. I want to focus on our successes, on raising the bar, on shooting for excellence, which millions of Ontarians do every day. That's what this bill is about.

Mr Speaker, I thank you for the opportunity to speak on this bill today.

#### ANTI-SPAM ACT, 2004

#### LOI ANTI-POURRIEL DE 2004

**The Deputy Speaker (Mr Bruce Crozier):** The time for private members' public business having expired, we shall deal first with ballot item number 19.

Ms Marsales has moved second reading of Bill 69, An Act to prevent unsolicited messages on the Internet. Is it the pleasure of the House that the motion carry? Carried.

Ms Marsales?

**Ms Judy Marsales (Hamilton West):** I would like to move that Bill 69 be referred to the standing committee on general government.

**The Deputy Speaker:** Agreed? Agreed.

#### OLYMPIC DAY ACT, 2004

#### LOI DE 2004

#### SUR LA JOURNÉE OLYMPIQUE

**The Deputy Speaker (Mr Bruce Crozier):** We shall now deal with ballot item number 20.

Mr Fonseca has moved second reading of Bill 71, An Act to proclaim Olympic Day. Is it the pleasure of the House that the motion carry? Carried.

Mr Fonseca?

**Mr Peter Fonseca (Mississauga East):** I move that Bill 71 be referred to the standing committee on justice and social policy.

**The Deputy Speaker:** Agreed? Agreed.

All matters having to do with private members' public business having been dealt with, I do now leave the chair. The House will resume at 1:30 of the clock.

*The House recessed from 1156 to 1330.*

#### MEMBERS' STATEMENTS

#### MARGARET MARLAND

**Mr Jim Wilson (Simcoe-Grey):** I rise to pay tribute to a good friend and a long-time member of this assembly, Mrs Margaret Marland. On Sunday, May 30, Margaret will join friends and family as they celebrate her 30 remarkable years in public life in the province of Ontario.

Margaret was first elected in 1974 as ward 2 trustee for the Peel Board of Education and quickly moved up the ranks to become a city councillor in Mississauga and councillor for the regional municipality of Peel in 1978. In 1985 Margaret was elected as the Progressive Conservative MPP for Mississauga South, and was re-elected four times before her departure from public life in October 2003.

Right through her 18 years at Queen's Park she demonstrated leadership and professionalism while serving in a number of roles, including chair of the PC caucus, deputy House leader and minister responsible for children.

Margaret is an honorary member of the Rotary Club of Mississauga Centre and a proud supporter of the United Way of Peel Region and the Mississauga women's hospital auxiliary.

Her passion for public life and her loyalty to her constituents has left a mark on this assembly. Margaret will be best remembered in this place for her upbeat spirit and her genuine respect for the rules of this House. She would have made an excellent Speaker, for I know all of us who served with her had the utmost respect for the way in which she performed her duties as an MPP.

It gives me great pleasure to extend my best wishes to Margaret, her husband, Ken, and children Ruth, Donald and Robert on this very important milestone in Margaret's life. Margaret Marland, truly a classy lady.

#### BRIAN WINKWORTH

**Ms Monique M. Smith (Nipissing):** I rise today to bring to the Legislature's attention a great member of my community. Brian Winkworth was named Kiwanis Club's citizen of the year and we will be honouring him tonight in North Bay.

Brian is the youngest citizen in North Bay to be given this great honour. With four children, it's hard to imagine how he has managed to fit in so much community work. He's the regional manager of our Cogeco cable company. He and his wife moved to our community 17 years ago and have been devoted to it ever since.

He has been involved in over 20 charitable and community organizations, including the chamber of commerce, Rebuilt Resources, North Bay Mining Week, and the health professionals awareness committee, and has volunteered countless hours to charitable events around our area.

One such event was the recent tribute to our mayor, Jack Burrows, where Brian and a team worked diligently to create a fabulous video. He collected video clips from hundreds of people in our community, including the fans of the North Bay SkyHawks, the congregation of Jack's church, and his buddies at Tim Hortons, and I was happy to be part of that.

Due to some scheduling miscommunication, I was a bit late and it was a freezing cold morning on the waterfront in North Bay. Brian was there waiting for me half an hour late with a smile on his face, saying, "No problem. No worries," because Brian does everything

with a smile. He is an example for our youth and for all the members of our community.

I would like to thank the Kiwanis Club for acknowledging Brian's commitment and contributions. I'd like to thank his wife, Nancy, and their four children, Steven, Michael, Amy and Andrew, for sharing their husband and dad with our community. I would like to congratulate Brian on being citizen of the year

#### LAW ENFORCEMENT

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise this afternoon to comment on the latest Liberal embarrassment concerning law and order. On June 11, 2003, the Tory cabinet approved a total of \$700,000 allocated over three years, \$242,000 in 2003-04, \$325,000 in 2004-05 and \$137,000 in 2005-06. The funds were to be drawn from the victims' justice fund. The \$700,000 was to be used as a pilot project for the Toronto Police Service, to help the service closely monitor an estimated 800 registered offenders living in the Toronto area.

The \$700,000 was allocated for a reason: to help protect our young people from sexual predators. It was with disbelief when we learned yesterday that the new McGuinty government has, for over seven months, refused to flow the funding to the Toronto Police Service.

The Liberals suggested that they would replace the program with a possible national program. We now learn that the Liberals have been humiliated and embarrassed into suggesting that the program, announced and approved last summer by the Tory government, will be in fact honoured.

Each and every day, a Liberal trial balloon or a Liberal broken promise is uncovered and identified in our province. The Premier, who likes to have photo opportunities in the classroom, has little or no concern with the monitoring of sexual predators, the people who can and will harm the children of our province. The ultimate flip-flop this week is an embarrassment to the Liberal government and a wake-up call to once again brand Liberals as soft on criminals.

#### ST ELIZABETH HEALTH CARE

**Ms Laurel C. Broten (Etobicoke-Lakeshore):** Yesterday morning, I participated in the RNAO Take Your MPP to Work Day and visited with a non-profit charitable organization that provides innovative in-home nursing therapy and home care. That organization is St Elizabeth Health Care.

Not only did I have an opportunity to meet with a number of the St Elizabeth nurses during a round table held at LAMP Community Health Centre, in order to listen to their comments and concerns, but I also had the opportunity to shadow a nurse working in the community as she visited the home of a wonderful family dealing with the extremely challenging and heart-wrenching health issues experienced by their son.

As I learned during my visit, the child and family program provides customized strategies to support and

respond to the complex health care needs of children and their families—like the family I met yesterday. Some of the innovative care and treatment that is provided is home chemotherapy, home dialysis, home infusion and palliative care, as well as family support and training.

I want to thank and commend the nurses at St Elizabeth for offering me the opportunity to share a morning with them, to see first-hand their challenges, and to speak with a family that is on the front lines of nursing care in our province.

I also want to offer thanks to the nurses all across the province, but especially those in my riding of Etobicoke-Lakeshore, for the important work they do in all of our communities each and every day. Thank you for working long hours through difficult circumstances. Thank you for your professionalism and your desire to help us find solutions to better our health care system. Most importantly, thank you for caring.

#### NORTHEAST MENTAL HEALTH CENTRE

**Ms Shelley Martel (Nickel Belt):** The Northeast Mental Health Centre is in crisis, and the Liberal government has done nothing to respond. On April 2, the board wrote to the Minister of Children and Youth Services, asking for \$436,000 to avoid cuts to children's mental health services. On April 15, the ministry said no.

This means the end of mental health services for children under six in Sudbury district east, Manitoulin Island and Espanola; an end to mental health support for children in CAS foster care; an end to the district day treatment program which allows high school students to complete their credits while being treated for substance abuse; a reduction in services for children who are dually diagnosed with mental illness and developmental disabilities; and an increase in the waiting time for preschool speech and language programs, from eight months to one year. These cuts are devastating for children across the northeast who suffer from mental illness.

On May 4, the board also wrote to the Minister of Health, asking for \$1.5 million to avoid cuts to adult community mental health programs and hospital-based services. There has been no reply. Without help, the cuts will include closure of counselling and treatment programs in Elliot Lake and Walden; an increase in wait times for counselling and treatment elsewhere in Manitoulin/Sudbury; an increase in wait times for seriously mentally ill patients needing help from the ACT team; and a reduction of nine beds on the hospital side, by the end of fiscal 2004-05. These cuts will be devastating for adults in the northeast who suffer from mental illness.

There is a crisis here for patients and staff. It demands a positive response from this government.

#### DEOHAJKO SUPPORT NETWORK

**Mr Wayne Arthurs (Pickering-Ajax-Uxbridge):** I rise today to welcome members of the Deohaeko Support

Network, guests from Durham region whom I've come to know and work closely with over the past decade. These families support their adult children with intellectual disabilities to live in their own homes in the Rougemont Co-operative in Pickering, that they built and established in 1994. The co-operative offers affordable housing to over 200 people, representing the full diversity of individuals and families in Durham region.

1340

The young adults of these families are supported to live in their homes and contribute to their community through the provision of some individualized funding. Individualized funding allows individuals with intellectual disabilities and their families to direct their own funding and, thus, their own lives.

Through individualized funding, a one-to-one support person assists an individual to access the rich resources that are typical in any community: places of work, volunteer opportunities, leisure and recreational clubs and facilities, and places of worship. Therefore, each person creates a day and a life that is uniquely their own, at the heart of their own community.

In return, individuals who are assisted to access their communities in these ways contribute greatly with their time, commitment and energy. They become involved in paid work, they may start their own small business, and they employ the people who provide them support.

Our communities are stronger and healthier when all members of our community find a way to participate, feel welcome and contribute. Deohaeko Support Network is a fine example of that in my riding and my hometown.

#### HYDRO OTTAWA

**Mr John R. Baird (Nepean-Carleton):** There is a growing scandal brewing in Ottawa. It involves secret contracts, payments of more than half a million dollars to well-connected friends of the government, untendered work and double-dipping. It's all happening in a big government-owned hydro company.

The entire mess falls on Ottawa Mayor Bob Chiarelli and his chief of staff, Brendan McGuire. This well-placed Liberal pair were happy to have left the impression with local taxpayers that Hydro Ottawa was directed by public-spirited citizens who worked for nominal fees.

John Hamilton, former chair of the board, resigned, citing political interference from city hall. Mayor Bob and his chief of staff, Brendan McGuire, installed a new head, Bob's boy on the board, Glenn Shortliffe.

And the scandal brews. Today an Ottawa Citizen editorial asked three questions: How could a man whose chief responsibility was to oversee management receive untendered contracts from the same management he oversees: \$295,000 dollars over two years? Two, the justification for such compensation included that he was lobbying against Bill 210. Not only did he never contact me, every Liberal member of the Legislature voted

against Bill 210, including Dalton McGuinty. Also, Mr Shortliffe was not a registered lobbyist.

Taxpayers deserve answers. Some have suggested that Mayor Bob enlisted Glenn Shortliffe to do his dirty work for him in rural Ottawa. We await more information on this Liberal McGuinty scandal.

### NURSING WEEK

**Mr Tony C. Wong (Markham):** Today I would like to recognize Nursing Week in Ontario and applaud the tremendous efforts of Ontario's nurses.

I especially wish to recognize the efforts of Linda Campbell, a nurse working in Markham Stouffville Hospital who was recently awarded the Toronto Star's Nightingale Award for achievement in nursing in Ontario.

Linda Campbell was selected by a panel of judges from 94 nominees. She worked extensively during the SARS crisis caring for patients in the palliative care unit last April, including Laura Quintero Sierra's 88-year-old father. Linda Campbell's loving and sensitive care to the needs of this family helped to comfort the 88-year-old father in his dying days. As a result of Ms Campbell's exemplary work, Ms Quintero Sierra nominated her for the Nightingale Award.

We, the people of Ontario, appreciate the hard work and dedication that is demanded of nurses such as Linda Campbell and recognize the tremendous sacrifices they make. Throughout many difficult medical crises, nurses have helped Ontario citizens cope by showing compassion, intelligence and courage, and as with last year's SARS outbreak have often risked their own lives in the process.

On behalf of the citizens of Markham, I would like to thank Ms Linda Campbell and all the staff at Markham Stouffville Hospital.

### BY-ELECTION IN HAMILTON EAST

**Mr Robert W. Runciman (Leeds-Grenville):** As all members know, today is judgment day in Hamilton East. Today's by-election is the first major electoral test for the McGuinty Liberals, the first opportunity for the public to send a message to this Liberal government. All signs point to a message Liberals aren't going to like.

And is it any wonder? The McGuinty Liberals have shown complete disrespect for the residents of Hamilton East. In very cynical moves, McGuinty first called a snap by-election and rammed through a candidate of his choosing, not the local association's, all in an attempt to garner a perceived sympathy vote. Those insults to the intelligence of Hamilton East residents were followed by a barrage of spending announcements in an attempt to buy votes with the voters' own money.

This is a government that deserves to lose this by-election. In seven short months, they have reinforced the negative sentiments that too many Ontarians have about politics and politicians. They have casually and cavalier-

ly tossed aside important promises they made to voters last September. In seven months, their front bench has displayed arrogance in its refusal to answer opposition questions that is reminiscent of the Peterson Liberals following the 1987 election.

In conclusion, the McGuinty Liberals have broken faith with the people of Ontario and we encourage the residents of Hamilton East to consider the outstanding Conservative candidate, Tara Crugnale, when they cast their votes today.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

**Mr Pat Hoy (Chatham-Kent Essex):** I beg leave to present a report from the standing committee on finance and economic affairs and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** Your committee begs to report the following bill, as amended:

Bill 40, An Act to amend the Insurance Act to protect emergency service providers from rate increases to their personal contracts of automobile insurance / Projet de loi 40, Loi modifiant la Loi sur les assurances visant à protéger les fournisseurs de services d'urgence contre l'augmentation des taux dans leurs contrats d'assurance-automobile personnels.

**The Speaker (Hon Alvin Curling):** Shall the report be received and adopted? Agreed. The bill will therefore be ordered for third reading.

### INTRODUCTION OF BILLS

#### PROFESSIONAL LEARNING PROGRAM CANCELLATION ACT, 2004

#### LOI DE 2004 ANNULANT LE PROGRAMME DE PERFECTIONNEMENT PROFESSIONNEL

Mr Kennedy moved first reading of the following bill:

Bill 82, An Act to amend the Ontario College of Teachers Act, 1996 to cancel the Professional Learning Program / Projet de loi 82, Loi modifiant la Loi de 1996 sur l'Ordre des enseignantes et des enseignants de l'Ontario en vue d'annuler le programme de perfectionnement professionnel.

**The Speaker (Hon Alvin Curling):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion, please say "aye."

All those against, say "nay."

I think the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1347 to 1352.*

**The Speaker:** All those in favour, please rise and be recognized by the Clerk.

**Ayes**

Arthurs, Wayne	Dombrowsky, Leona	Peters, Steve
Bentley, Christopher	Duguid, Brad	Peterson, Tim
Berardinetti, Lorenzo	Duncan, Dwight	Phillips, Gerry
Bradley, James J.	Fonseca, Peter	Prue, Michael
Broten, Laurel C.	Gerretsen, John	Qaadri, Shafiq
Brownell, Jim	Hoy, Pat	Rinaldi, Lou
Bryant, Michael	Jeffrey, Linda	Ruprecht, Tony
Cansfield, Donna H.	Kennedy, Gerard	Sandals, Liz
Caplan, David	Kular, Kuldip	Sergio, Mario
Chambers, Mary Anne V.	Kwinter, Monte	Smitherman, George
Churley, Marilyn	Leal, Jeff	Takhar, Harinder S.
Colle, Mike	Levac, Dave	Van Bommel, Maria
Cordiano, Joseph	Marchese, Rosario	Wilkinson, John
Craitor, Kim	Marsales, Judy	Wong, Tony C.
Crozier, Bruce	Martel, Shelley	Wynne, Kathleen O.
Delaney, Bob	McNeely, Phil	Zimmer, David
Dhillon, Vic	Meilleur, Madeleine	

**The Speaker:** All those opposed, please rise.

**Nays**

Baird, John R.	Hudak, Tim	Runciman, Robert W.
Chudleigh, Ted	Klees, Frank	Scott, Laurie
Dunlop, Garfield	Miller, Norm	Tascona, Joseph N.
Hardeman, Ernie	Ouellette, Jerry J.	Wilson, Jim

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 50; the nays are 12.

Mr Kennedy?

**Hon Gerard Kennedy (Minister of Education):** I will address this in ministerial statements.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### TEACHERS' PROFESSIONAL DEVELOPMENT

### PERFECTIONNEMENT PROFESSIONNEL DES ENSEIGNANTS

**Hon Gerard Kennedy (Minister of Education):** I rise today to speak to legislation that will improve the work environment, the morale and ultimately the ongoing professional development of Ontario teachers.

On April 22, Premier McGuinty outlined our government's plan for dramatic improvement in public education. Our plan is based on the firm belief that Ontario's public education system can and must deliver excellence for students. The future of our students and of our province depends on it.

Notre plan se fonde sur la ferme conviction que le système d'éducation public de l'Ontario peut et doit assurer l'excellence pour tous les élèves. L'avenir de nos élèves et de notre province en dépend.

We can only stop the slide that has been allowed to occur in our publicly funded schools if we take responsibility for the success and the well-being of every-

one who works in those schools. An education system that aspires to unlock the potential of every student has to be a system that in turn unlocks the potential of the teachers and the other education workers within it.

The McGuinty government will take responsibility for teacher excellence. A key difference between this government and its immediate predecessor is that we believe teachers want excellence just as much as we do. Our policy is one of respect for teachers as professionals, individuals who conduct themselves in a manner that deserves the public trust. Every Ontario student needs and deserves highly trained and highly motivated people at the front of their classes. Today's legislation is an important prelude to ensuring that by bringing long-overdue respect and relief to the classroom teacher in Ontario.

This bill does one very simple but necessary thing: It eliminates a hugely flawed, punitive approach of the previous government toward the teaching profession in the form of its professional learning program, or PLP. This program, also known as the teacher-testing program, was brought into place four years ago as part of the previous government's divisive approach toward Ontario's teachers in public schools. Rather than motivate our teachers, they took out partisan advertising. Rather than work with teachers, the government made them a target.

The PLP policy was a policy of conflict from the beginning. It originated as an election promise for teacher testing in 1999 to prey on public concerns about the quality of education. Instead, it became the most centralized, bureaucratic and overly prescriptive program of professional development that you could find anywhere. Teachers were ordered to complete 14 courses over five years, only from centrally approved courses and providers, or the Ontario College of Teachers, created by the government, would take away their teaching privileges and certificate. Recommendations provided by the College of Teachers at the time were overruled, and its independence was trampled on by the previous government. This served to alienate the college from its membership.

Since it was imposed in 2001, the PLP has been an enormous failure in practice. By September 2003, less than one in five teachers had registered for even one course of the official program, let alone the five or six they should have had by then to reach the compulsory number. The PLP has cost the College of Teachers \$10 million, paid for by additional annual fees levied on individual teachers.

While dollar cost is just one measure, the amount of discouragement the PLP policy has generated among Ontario teachers is much greater. A study released two weeks ago cited the rate of depression among Ontario teachers as indicative of toxic workplaces, with incidences one third above other workplaces and long-term disability rates doubling since 1993. According to the College of Teachers, we have been losing one in three of our new teachers within the first five years of practice. Ultimately, the previous government succeeded at only

one thing: disenfranchising an entire profession and undermining one of the province's most valuable resources for its future, its teachers.

We're going to fix that.

1400

We are taking a new, respectful approach to teachers' professional development. Nous adoptons une nouvelle approche respectueuse à l'égard du perfectionnement professionnel des enseignantes et enseignants.

What matters most is that teachers get the training and development they need in a timely fashion.

Aujourd'hui, je suis fier de déposer un projet de loi pour abroger le programme de perfectionnement professionnel et mettre fin officiellement à l'époque d'irrespect envers les enseignantes et enseignants. Aujourd'hui, nous renouvelons notre engagement à l'égard de la paix et de la stabilité dans le système d'éducation public de l'Ontario, afin que nous puissions fournir la meilleure éducation possible à nos élèves.

The Ministry of Education will soon release a discussion paper outlining approaches to teacher excellence that will tap into the best our teachers have to offer. We will collaborate with teachers, as well as principals, school boards and faculties of education, and we'll gather input from parents, students and others to ensure a framework for meaningful professional development.

Some of the approaches that will be considered are: innovative mentoring programs for new teachers by more experienced teachers in schools, increased professional development days, enhanced summer development program opportunities, evaluating the link between teacher performance appraisals and development, and funding for teacher development.

In closing, I want to be clear: We already have tremendous, outstanding teachers in this province. As Minister of Education, on behalf of this government, I want to express our appreciation to them for the selfless work they are doing on behalf of children and young adults.

Further, I say to the members of the public that Ontario's teachers are professionals who by definition have some of the keenest appreciation for the value of continuous learning. While we have lost ground in this province, as a result of the PLP, on working together on teacher development, this House should know that Ontario teachers continue to take courses and upgrade their skills outside of the PLP framework. I am confident that Ontario teachers are very prepared to engage their responsibility for self-development. In this as in other areas, our government will treat them with the professional respect they deserve. We believe that teaching is more than a profession; it is one of the highest callings and a matter of public service.

The Professional Learning Program Cancellation Act, 2004, recognizes our teachers as the dedicated professionals they are. I ask all members in this House to join me in supporting this bill.

**The Speaker (Hon Alvin Curling):** Responses?

**Mr John R. Baird (Nepean-Carleton):** I'm certainly pleased to rise and respond to the statement presented by

the Minister of Education on behalf of the opposition caucus and our education critic, Jim Flaherty.

All of us believe teachers do a phenomenal job in the province of Ontario. I can speak personally that I have benefited greatly from our public education system. I even have a diploma signed by Sean Conway and a nice letter congratulating me on being an Ontario scholar in our public education system, which is signed by Sean Conway as well.

In fact, I first got involved in politics when the federation president ran for Parliament for the Conservative nomination in Nepean-Carleton some years ago. She was my teacher at D. Aubrey Moodie Intermediate School, and she is actually one of the reasons I got involved in politics.

Teachers and the fundamental role that teachers play in our education system are so important. To ensure that their skills are constantly being upgraded, we on this side of the House believe that teacher testing and professional development requirements are an important part of any efforts to increase standards in our public education system.

We should be very clear in this response that this speech by the Minister of Education is less about excellence in education and has everything to do with payback to the union leaders who generously supported the Liberals in the last election campaign.

People say, "Can you quantify that? Can you quantify the back-slapping union bosses who got behind Dalton McGuinty and this minister?" Let's look at the facts: the Elementary Teachers' Federation of Ontario, \$12,400, and another \$1,000 from them as well; the Ontario English Catholic Teachers' Association, 7,500 bucks; and an additional 400 bucks later. Our friends at the Ontario Secondary School Teachers' Federation, not just \$885, not just \$200, but \$9,600 more.

#### *Interjections.*

**Mr Baird:** Even the member for Leeds-Grenville is outraged by this, and I share that concern. The Toronto elementary Catholic teachers, \$15,000. The union bosses are now clearly in control over at the Mowat Block, and they can get this minister to sign off on just about anything they put in front of him.

Some people have asked, "Why is this announcement being done today?" All of the provincial news tomorrow will be about how the Liberals lost the by-election in Hamilton. This will get put off to the back pages of the paper. They didn't dare go to Hamilton and make this announcement because they know just how unpopular this piece of legislation will be, about handing over the control of our education system to union bosses.

Someone said, "I remember Dalton McGuinty saying other things about this." I know the member for Simcoe North will agree. Let's take a journey down the Liberal flip-flop trail on this. Back in 1995, the Red Book said they would "require teachers to upgrade their certification during their careers," and that "teachers must be well qualified and stay up to date throughout their careers." That's the Red Book, 1995, article 1.

Back in 1995, Dalton McGuinty was for enhanced teacher education. He said that he was in favour of enhanced teacher education on February 22, 1995. In 1999, the Liberals said, "All new teachers will be required to pass certification exams."

**Mr Robert W. Runciman (Leeds-Grenville):** Then the cheque showed up.

**Mr Baird:** "Then the cheque showed up," the member says.

In 1999, April: They're now against teacher testing. In 1999, they changed their mind again: "All of our new teachers will have to pass province-wide examinations," despite having taken four years of education. They changed their mind again. Another time in 1999, "Dalton McGuinty said his party would require education faculty graduates to pass a test before they could teach."

We keep going on in 1999: "There should be a ... requirement to pursue ongoing training, the same way there is for" other professions, McGuinty said on September 2, 1999. McGuinty also said on October 1999 that there should be "ongoing professional development."

They put the cart before the horse. They're going to repeal this legislation and they're leaving nothing in its place, and they should be ashamed of themselves.

**Mr Rosario Marchese (Trinity-Spadina):** There is something that we agree with the Liberals on in this announcement and that is that the Tories were unnecessarily pugilistic against teachers. They never lost an opportunity to diminish teachers, as a result of which many have been demoralized. We agree with Liberals in that regard. But I've got to tell you, I'm getting—

*Interjections.*

**Mr Marchese:** Hold on, please. I am getting awfully tired of these weekly Liberal announcements about how much they love teachers, how much they respect teachers, and that they want peace and stability. It's tiring me out, because every time you make a statement in this Legislature I think you, Gerard, are about to announce something really big that's going to help teachers and students. So every time I go to something that you've been part of—

*Interjection.*

**Mr Marchese:** Hold on, Bruce. Calm down, Bruce; calm down.

Every time I go to some announcement like a couple of weeks ago when the Premier and you announced that you were going to have Premier's Awards for Teaching Excellence, I thought, "Oh, my God, there's going to be something big," and it's the Premier's Awards for Teaching Excellence. It's a nice thing to do, but to bring all the media to come to Bishop Marrocco, to bring me, to bring the Tory critic to come to such announcements—please, it's tiring.

What about Gerard? What about the fact that when you were in opposition, you used to talk about "curriculum casualties"? Do you recall those words? Nod if you agree. You used to say it daily in this House—the curriculum casualties, where high school students were dropping out as a result of the changes the Tories made,

and that you cared about what happened to them and that you were sincerely worried as a Liberal, worried that students were leaving the system without anything to do. Remember that?

**1410**

So I said, "Gerard, very, very soon, some announcement in this place"—or outside of this place; it doesn't really matter to me—"is going to say, 'We've solved the problem of these curriculum casualties, because it was important when I was in opposition, and it's important while I'm in government.'"

*Interjection.*

**Mr Marchese:** I'm sorry, Gerard; I can't hear you.

We have heard nothing from the minister or the Premier on how they're going to save those students. That was an urgent matter seven months ago and is now no longer urgent. So yes, the Premier's Awards for Teaching Excellence are nice, and yes, the professional learning programs that the Tories had established were pugilistic and designed to be punitive and designed to permit the public to think that somehow they were getting something out of the program to help teachers improve their professional development, and it didn't do that. It's nice that he is finally going to fix this particular problem, but I'm waiting for some other major announcement, Gerard.

**Hon Mr Kennedy:** The budget?

**Mr Marchese:** I'm waiting for the budget.

I'm telling you this: All the little mini-announcements that you are making are designed to create an impression that something is really happening with this minister and in this ministry, but very little is going on. This is all a ploy designed prior to Tuesday's budget for us to believe we're getting something because next Tuesday, when Sorbara delivers his budget, the pecunia are not going to be there, Gerard, and I know this. I'm putting myself on the line. I'm taking a bold risk here because I don't think that the money is there. It's not going to come. All this announcement about the school capping, the promise you made, is but puffery. It's a commitment that will never come, Gerard.

I know it and I'm putting my reputation on the line here, because I think you're going to reduce class sizes. You're going to reduce class sizes in a couple of schools here and there, where there are some serious bulges, but I am telling you this: You are not going to put a cap on grade 3, grade 2 and grade 1. I don't believe you are going to do that. The 1,000 teachers who were required to do it, that you said that the Premier said that he later denied he ever said it, on the Focus Ontario program, are not going to come.

*Interjection.*

**Mr Marchese:** I'm telling you, Gerry, you can whine all you want, but I'm waiting to see your face and your reaction on Tuesday. I'm waiting for the reaction of parents and teachers about all of the good things that you were going to give us to fix the education system.

This is OK, Gerard; I'm waiting for the big stuff.

## SPEAKER'S RULING

**The Speaker (Hon Alvin Curling):** Yesterday, the member for Toronto-Danforth, Ms Churley, rose on a point of order concerning ministerial statements. Specifically, the member referred to standing order 35(c). The member contended that the statement made by the Minister of the Environment did not correspond with the advance copy of the written statement provided to her, and that the inconsistency was substantial in nature, thus impacting on the member's ability to respond appropriately.

The member was joined in her assertion by the member for Nickel Belt, Ms Martel, and the member from Nepean-Carleton, Mr Baird, both of whom claimed that the inconsistency between written and oral ministerial statements had in fact occurred on other occasions. The government House leader, Mr Duncan, also spoke to this point.

It will likely not come as a surprise to members that this issue has been raised previously in this House. Speaker Edighoffer offered in 1990 that the Speaker does not receive a copy of ministerial statements and is therefore unable to follow along.

On October 19, 1992, Speaker Warner added to that when he stated the following:

"I would add that, even if the Speaker were required to receive copies of written statements, it would not be her or his responsibility to determine whether a discrepancy is substantial in nature or whether it is an embellishment of no consequence.

"While the powers of the Speaker in this regard are circumscribed, surely it is in keeping with the spirit of the standing order that ministers adhere closely to the written text when making statements so as to avoid possible misunderstandings. It may be that on occasion, changing circumstances require that the oral statement differs in some respect from the written statement. In such a situation, I would expect that any minister would wish to advise the House of the departure from the prepared text."

The matter was again raised on June 22, 2001, at which time Speaker Carr concurred with the previous Speakers. I am inclined to agree as well with my predecessors. I do not receive copies of ministerial statements and thus am not in a position to determine if the text is followed precisely and, as Speaker Warner said, even if I did receive copies, it would not be up to me to determine whether discrepancies are substantial or inconsequential.

Having said that, I would add that I expect ministers to follow the standing orders and that if, of necessity, there are consequential changes to the text of ministerial statements, they advise the House at the outset of the statement itself.

## DEFERRED VOTES

STRONG COMMUNITIES  
(PLANNING AMENDMENT) ACT, 2003  
LOI DE 2003 SUR LE RENFORCEMENT  
DES COLLECTIVITÉS (MODIFICATION  
DE LA LOI SUR L'AMÉNAGEMENT  
DU TERRITOIRE)

Deferred vote on the motion for second reading of Bill 26, An Act to amend the Planning Act / Projet de loi 26, Loi modifiant la Loi sur l'aménagement du territoire.

**The Speaker (Hon Alvin Curling):** Call in the members. There will be a five-minute bell.

*The division bells rang from 1416 to 1421.*

**The Speaker:** All those in favour, please rise one at a time and be recognized by the Clerk.

## Ayes

Arthurs, Wayne	Duguid, Brad	Peters, Steve
Bentley, Christopher	Duncan, Dwight	Peterson, Tim
Berardinetti, Lorenzo	Fonseca, Peter	Phillips, Gerry
Bradley, James J.	Gerretsen, John	Prue, Michael
Broten, Laurel C.	Hoy, Pat	Qaadri, Shafiq
Brownell, Jim	Jeffrey, Linda	Rinaldi, Lou
Bryant, Michael	Kennedy, Gerard	Ruprecht, Tony
Cansfield, Donna H.	Kular, Kuldip	Sandals, Liz
Caplan, David	Kwinter, Monte	Sergio, Mario
Chambers, Mary Anne V.	Leal, Jeff	Smitherman, George
Colle, Mike	Levac, Dave	Takhar, Harinder S.
Cordiano, Joseph	Marchese, Rosario	Van Bommel, Maria
Craitor, Kim	Marsales, Judy	Wilkinson, John
Crozier, Bruce	Martel, Shelley	Wong, Tony C.
Delaney, Bob	McNeely, Phil	Wynne, Kathleen O.
Dhillon, Vic	Meilleur, Madeleine	Zimmer, David
Dombrowsky, Leona	Orazietti, David	

**The Speaker:** All those opposed, please rise.

## Nays

Baird, John R.	Hudak, Tim	Scott, Laurie
Chudleigh, Ted	Klees, Frank	Tascona, Joseph N.
Dunlop, Garfield	Miller, Norm	Wilson, Jim
Eves, Ernie	Ouellette, Jerry J.	
Hardeman, Ernie	Runciman, Robert W.	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 50; the nays are 13.

**The Speaker:** I declare the motion carried.

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I request that this matter be referred to the committee on general government.

**The Speaker:** The bill is accordingly referred.

## ORAL QUESTIONS

## ONTARIO BUDGET

**Mr Frank Klees (Oak Ridges):** My question is to the Deputy Premier. Can you please tell the people of On-

tario just what sacrifices they'll have to endure as a result of your budget coming up next week?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** The people of Ontario will no longer have to endure the sacrifices they did under your government: cuts to health, cuts to education, putting tax cuts for the wealthy and private schools ahead of our public schools, putting the interests of large corporations and their taxes ahead of public health care.

I say to the member, be here next Tuesday, 4 o'clock. Don't go to Magna this year. Be here. When you're here, you're going to see a budget that delivers on this government's and our Premier's commitment to improve public health care, to improve public education and to begin to undo the legacy that was left by eight years of Harris-Eves mismanagement and incompetence. It's a time we're all looking forward to, and we'll look forward to seeing you right here next Tuesday.

**Mr Klees:** Deputy Premier, yesterday the Minister of Finance was quoted by the hard-working reporters from the Toronto Sun as saying he wouldn't describe any of the measures in the budget as being sacrifices at all. Yet three days ago, Dalton McGuinty told the Empire Club that sacrifices would indeed be necessary. Three weeks ago he said in a press conference that sacrifices from all of us would be necessary. Today's Star quotes Premier McGuinty in Washington, DC, as saying it's going to take a great deal of sacrifice. Which Premier should we believe, Mr Sorbara or Mr McGuinty?

**Hon Mr Duncan:** What you can believe is this government is going to begin to clean up the mess in public health care and public education that your government left. What you can believe is there will be no more sweetheart deals from Hydro One and OPG for backroom consultants. What you can believe is that this party with its majority puts the interests of average Ontarians and working families far ahead of where you put them. What you can believe is that the people of Ontario will accept every budget initiative and understand that this government's priorities are in the right place and that we're going to fix the mess you left behind, a shameful mess, a mess that you, sir, are in part responsible for, but we are going to fix it. We're going to improve public health care and public education and undo your miserable legacy.

**Mr Klees:** The Deputy Premier is getting quite worked up over this issue, and I'm sure it's because he himself isn't sure which Premier is right about these issues.

The Deputy Premier of Ontario has told Ontarians that there wouldn't be sacrifices. The other Premier said there would indeed be sacrifices. I'd like to ask the Deputy Premier—maybe he's the real Premier, after all—which of these Premiers is right, or is it true that one Premier doesn't know what the other Premier is doing, and isn't that really the legacy of this government to date?

**Hon Mr Duncan:** I have enormous respect for the Premier of Ontario and for the Minister of Finance. We will deliver a budget that improves public health care, that improves public education, that begins to undo the

legacy of closed hospitals, laid-off nurses, teacher bashing and lost days in education. We are beginning to address the concerns that our communities have: under-funding, downloading, bad pollution controls.

This government—our Premier, our finance minister and each of the 71 members in this caucus—is committed to the principles we stood on. We are going to improve public health care and public education. I believe that when the people of Ontario see this budget next Tuesday, they will compare us to you and say, "Boy, did we make the right choice last October."

**The Speaker (Hon Alvin Curling):** New question.

**Mr John R. Baird (Nepean-Carleton):** To the Deputy Premier: I just thought that if you were so proud of this upcoming budget, you'd let voters in Hamilton East see it before they cast their ballots.

Next Tuesday, after Hamilton East voters go to the polls, the Minister of Finance will table his budget in this place, despite Dalton McGuinty's attempt to upstage him and do a fireside chat with Ontario voters. Before the Minister of Finance rises in his place with his head in a cloud of scandal, a company named Royal Group Technologies, which he directed for 10 years, is under investigation by the RCMP, the Ontario Securities Commission and the Canada Revenue Agency—serious charges relating to a company and its financial books. The minister was the chair of the audit committee, which approved each and every financial statement. Minister, can you confirm to this House that neither the minister nor any of his agents have had anything to do with the Ontario Securities Commission or the TSX, or that his personal political staff have not had anything to do with the securities commission? Can you do that, Minister?

1430

**Hon Mr Duncan:** What I can say is that the Integrity Commissioner has absolute confidence in the integrity of the Minister of Finance. He said that in a letter dated March 8, 2004.

I would say to the member, while there is a forensic audit of interest going on of the corporation, the questions of interest to this Legislature are the ones that the finance minister is going to address. The finance minister's budget is going to address the problems in our public health care system that the member's government left behind. He's going to address the questions around public education that their government left behind. They chose to fund private schools. We choose to fund public schools.

Let's quit talking about nonsense. The minister has been very clearly supported by the Integrity Commissioner. Let's talk about the substance of the budget. Let's debate public education and public health care and get this debate and those questions out of the gutter.

**Mr Baird:** They think a criminal probe is nonsense. The member opposite may think an investigation by the tax and audit group at Revenue Canada is laughable. The member opposite may think that a serious investigation at the Ontario Securities Commission on behalf of investors, shareholders and pensioners is not serious, but

those of us on this side of the House sure do think it's serious.

Would the minister clearly inform the House whether Minister Sorbara or any of his agents has had any contact whatsoever with the Ontario Securities Commission, the RCMP or Revenue Canada with respect to the serious investigations going on about Royal Group Technologies, a company that he directed for more than a decade?

**Hon Mr Duncan:** What I can say in response to this desperate smear is that the Integrity Commissioner said: "Put bluntly, it would have been manifestly wrong for you to involve yourself or your ministry in any aspect of the OSC's investigation of Royal, or in any OSC investigation. In particular it would have been wrong for you to have taken it upon yourself to disclose or to cause the disclosure of the OSC/Royal investigation."

Surely, based on that question, the member is suggesting that the finance minister or any member should violate the law. We say no. The finance minister has conducted himself appropriately. The Integrity Commissioner has said that. Case closed.

Let's talk about the budget. Let's talk about public health. Let's talk about public education. I have a lot more confidence and faith in this finance minister than in any finance minister your government ever had.

**Mr Baird:** The minister's refusal to answer the direct questions are beginning to speak volumes about this. His cavalier attitude toward serious charges being levelled against a company and those who were involved in it speaks volumes about this.

Another central figure in this scandalous mess is a gentleman by the name of Vic De Zen. Can you—

*Interjections.*

**Mr Baird:** I can tell you, I've never been sued for slander and had to settle out of court—

**The Speaker:** Order. Member for Nepean, would you direct your question to the Chair.

**Mr Baird:** I'll remind the members of the House that I have never been sued for slander and I've never had to settle out of court for saying slanderous things.

Another central figure is Vic De Zen. I'd like the minister to stand in his place and tell this House whether the minister or his agent has had any contact of any kind with Mr De Zen. Can he do that?

**Hon Mr Duncan:** In responding to this absolutely shameful question—the member talks about integrity in government. The Minister of Finance wrote to the Integrity Commissioner, and you'll recall that one of your ministers did the same thing. When your minister got the response, he refused to release it and he still hasn't released it.

This is released, and the shameful nature of your question and the absolute lack of integrity in the question betray the fact that they don't want to talk about how this government is going to fix the mess in public health care and public education. That's your legacy. A \$5.6-billion deficit is your legacy; 39 closed hospitals are your legacy. We're going to fix the messes you created and we're going to do it with integrity.

## SALES TAX HARMONIZATION

**Mr Michael Prue (Beaches-East York):** My question is to the Acting Premier. Despite numerous, repeated, persistent questions by the press gallery of Ontario, your government refuses to tell Ontarians whether it is your plan to harmonize the provincial sales tax with the GST. Ontarians need to know. Is there going to be an 8% tax slapped on their gas? Is there going to be an 8% tax slapped on their hydro? Is there going to be an 8% tax slapped on their natural gas? Mr Minister, are you planning any steps toward harmonizing the PST with the GST? If this is just another trial balloon, please shoot it down today.

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** What's going on here again is uninformed, unimaginative speculation. You will get the answer to your question next Tuesday at 4 o'clock in this chamber. I can tell you what there won't be in the budget. There won't be a 52% increase in tuition like your government delivered to post-secondary education. There won't be a 43% increase in hydro rates like your government did to Ontario ratepayers. There will be a commitment to public health care and public education the likes of which we haven't seen, certainly in the last nine years. Be here next Tuesday. You'll get the answers to all your questions.

**Mr Prue:** I was hoping to get the answers to my questions today. The people want to know now. They want to know if they really chose change. They want to know whether there's going to be an 8% tax on their children's clothing and whether there's going to be an 8% tax on books. They want to know whether they really chose change in the last election, or whether they are getting more of the Harris-Eves approach to user fees and hidden taxes.

Mr Minister, I ask you once again, will you tell this House that you will not be taking steps toward harmonizing the GST with the PST? Please shoot down the balloon today if you can.

**Hon Mr Duncan:** This is actually a Howard Hampton trial balloon, and like most of the other research Mr Hampton has produced in this House, like the person with his car insurance premiums, I'm sure it will be proved to be wrong.

I would suggest to the NDP that they wait until next Tuesday at 4 o'clock. Your questions will be answered and you will see real change in this province, change like we've already brought about in education with the bill you supported today, change like we brought about with the Adams mine legislation that you voted for, change like we brought about by eliminating the private school tax credit, which you voted against after everything you said.

I look forward to meeting the House here next Tuesday at 4 o'clock. The finance minister will deliver a budget that brings about real change in Ontario, change I know you'll be proud to support as you have on a number of other occasions in this House.

## HEALTH CARE FUNDING

**Ms Shelley Martel (Nickel Belt):** I have a question to the Acting Premier. It is question period, so I'm looking for an answer. Minister, Ontarians are worried that your budget will force them to pay or pay more for important health services. You know that every year there are millions of Ontarians who need access to high-quality eye care, podiatry, chiropractic and physiotherapy services, and many of those who benefit are on a fixed income and cannot afford to pay for those services out of their own pockets. These cuts will hurt the very people who can least afford it at the same time as you're keeping in place the 35% tax cuts to the wealthiest Ontarians put in place by your friends in the Conservative Party.

Minister, yes or no: Announce today, is your government going to delist important health services or are you going to ensure that Ontarians will not have to pay for tertiary services?

**Hon Dwight Duncan (Minister of Energy, Government House Leader):** I'll refer that to my colleague the Minister of Health.

**Hon George Smitherman (Minister of Health and Long-Term Care):** What I can say to the honourable member is something I had the chance to say six or eight times yesterday, which is that—

*Interjection.*

**Hon Mr Smitherman:** That's right. The member from Trinity-Spadina offers to his own member some very good advice, and I'd like to stand by it.

**Ms Martel:** Minister, why should I wait till Tuesday? It's question period today. I have an important question, and this is a question that's important to many people who use these services. You know that patients need access to high-quality eye care, physiotherapy and chiropractic services. You know that many of these important health care services are important for treatment and for health promotion and health prevention as well. You know that many of the people who use these services, especially physiotherapy, are folks who are on a fixed income and they can't afford to pay for these costs out of their own pocket.

Tertiary health care services are important health care services and your government should be paying for them. Today, Minister, will your government be delisting these important services and forcing Ontarians to pay out of their own pockets for them?

1440

**Hon Mr Smitherman:** The member well knows by now that the budget is coming on Tuesday, but I'm pleased to be able say that our party and government is going to act to deliver on the commitments that we took to the people of the province of Ontario, which is to enhance the quality of our health care services. As a government, we've already made moves to enhance funding for Ontario's hospitals by \$385 million. Two days ago, we announced \$191 million additional dollars on an annual basis to deal with the challenges in our long-term-care facilities. I believe those announcements

are symbols of the desire on the part of our government, in reasonably challenging fiscal circumstances brought about by their Magna budget and the like, to enhance the quality of health services in province of Ontario.

Beyond that, I would say, with all due respect to the honourable member, that Tuesday afternoon at 4 o'clock will be an opportunity to see that our government is planning to expand the quality of health services with a particular focus on the most vulnerable in our society.

## LAW ENFORCEMENT

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Attorney General. Minister, yesterday you and your cabinet colleague Monte Kwinter started the day by downplaying and sidestepping the Toronto Police Service's need for \$700,000 to track sexual predators. This is funding our government had already approved back on August 6, 2003, by cabinet.

Only hours later, during question period, you executed the quickest flip-flop in the short history of the Dalton McGuinty government. That's when you said, "Of course the government will be providing that funding. Of course we will." I need to know—and so do the parents of children like Holly Jones—why you hesitated for seven months about funding this worthy police project, especially when our government had already approved the funding.

**Hon Michael Bryant (Attorney General, minister responsible for native affairs, minister responsible for democratic renewal):** I presume the member supports the expansion of anything we can do to try to track sex offenders. I assume the member supports that. That's what we're doing over here. I don't think this is a particularly partisan or political matter. I think this is something that we want to do mostly to give people some confidence in their community. We're doing that. I'm glad it's clear to you now. If you have any questions about the specifics of the program, I know Minister Kwinter will happily explain all this to you, but this is a good thing. I hope you support it and I'd like to hear you support it when you stand up, sir.

**Mr Dunlop:** Minister, yes, we do support it, but we wonder why it took you seven months to support it. We all know that the one thing you and your federal Liberal cousins truly have in common is that you are all very soft on crime. I'm glad we received your assurance in the House yesterday that the money is coming to the Toronto Police Service. I'm sure you can appreciate why we had to verify your comments today in case you decided to flip-flop on this issue once again.

Can you please tell us in this House, and clearly enough so that it makes sense to Chief Fantino and the Toronto Police Service, exactly when will the Toronto Police Service get their money, all \$700,000 over three years from the victims' justice fund, as approved by the cabinet. When will they receive the funding?

**Hon Mr Bryant:** That's exactly what Chief Fantino said we are trying to get right so that in fact we are

providing the best possible service for the safety of this community that's particularly affected and everybody across the province of Ontario. That's exactly what the federal minister announced yesterday in saying that we are going to be expanding the national registry.

I don't know why this member cannot take yes for an answer. This is good news for Ontario. This is good news for safer communities. Yes, I know when you were in government, you were all talk no action. I understand this particular announcement is a good example of that, but we're not going to follow that lead. We're not going to do the all talk, no action. We are going to be all action. We are going to come to this House and explain what we're doing. That's exactly what I'm doing now. I don't understand why you can't take yes for an answer.

### TOBACCO CONTROL

**Mr Jim Brownell (Stormont-Dundas-Charlottenburgh):** My question is to the Minister of Health. Last week a volunteer from the Canadian Cancer Society visited my office here, Janet Allingham of Morrisburg, Ontario. She stressed to me the importance of tobacco control in the province. She presented me with eye-opening information and statistics. She also illustrated to me the hodgepodge fashion in which Ontario communities are restricting second-hand smoke exposure in hospitality and recreational premises. She also informed me that May 31 is World No Tobacco Day.

Most recently, the city of Cornwall in my riding has gone 100% smoke-free. South Stormont is working on a bylaw to ban smoking in all public places. We know tobacco is the largest cause of preventable illness and premature death in Ontario. We know that Toronto, as of June 1, 2004, is phasing in a no-smoking bylaw. With World No Tobacco Day fast approaching, I ask you what we as a government are doing to urge and aid all Ontario municipalities to go smoke free.

**Hon George Smitherman (Minister of Health and Long-Term Care):** I want to start by applauding those municipalities across Ontario that have demonstrated extraordinary leadership in dealing with the number one killer of people prematurely in our province. That's tobacco-related death and illness, with 16,000 people annually losing their lives in our province, and that many families affected.

What are we doing? We're moving forward as a government to replace the hodgepodge, the patchwork quilt of laws by a piece of provincial legislation. We're going to draft that over the course of the summer with a view toward bringing it to the House in the fall.

I would like to say in addition that with the public health branch of the Ministry of Health and Long-Term Care and our fine new chief medical officer of health, Dr Sheela Basrur, we're going to lend support on the enforcement side to municipalities that have bylaws in place, or that are being implemented throughout the course of this year, to make sure they get the support necessary to see that those good, strong bylaws in

municipalities across the province get all the support they need to be true.

**Mr Brownell:** I understand that this issue is a priority to you, and it certainly is for me. Each year 12,000 Ontarians die prematurely due to tobacco-related illnesses. Most teenagers start smoking and become addicted at a very early age. We know that smoking is the largest preventable health epidemic facing Ontarians. I strongly believe that cigarettes should not be accessible to young people, and that education combined with accessibility is the only way to get cigarettes out of the hands of our youth. What is our ministry doing to ensure that Ontario's young people do not start smoking?

**Hon Mr Smitherman:** I think the honourable member has touched on a pretty central issue here. The fact of the matter is that pressure comes every single day from tobacco manufacturers to turn young kids on to cigarettes. The fact of the matter is that we plan, as a key element of our strategy, to engage youth in that campaign, to empower them, to give them tools and resources so that they can talk to one another about the challenges around smoking.

Retailers in this province are restricted from selling cigarettes to people under the age of 19. The letters I most like signing as Minister of Health are those letters sent to me from public health officials that revoke the right of retailers to sell cigarettes because they've been caught on successive occasions selling them to minors.

We have more to do on this front, but the comprehensive fact is that we're coming forward with—over the course of this year we'll re-engage the government of Ontario in this very important battle. I believe we can contribute significantly to making Ontarians the healthiest Canadians by waging a successful war against tobacco.

### HEALTH CARE FUNDING

**Mr Norm Miller (Parry Sound-Muskoka):** I have a question for the minister of Health. I've heard from many constituents, who have been calling, writing and emailing my constituency offices in Parry Sound and Bracebridge, concerned about the delisting of chiropractic services from OHIP. Let me share one constituent's letter.

"Dear Mr Miller: I have just been informed that the government may decide, in the next few days, to delist chiropractic services from OHIP. So much for their promise not to reduce access to health care!"

"The news to eliminate funding was very disconcerting to me since I see my chiropractor on a weekly basis and do not have extended health coverage. I require the regular services of a chiropractor and would not be able to go as often as I do now since I would not be able to afford the extra charges. I have a temporal mandibular joint problem (TMJ), which causes headaches and also have chronic upper and lower back problems. The chiropractic adjustments keep my headaches under control as well as the other conditions that I seek treatment for,

without the use of drugs which I feel only mask and do not eliminate the problems."

In your election campaign, you promised not to reduce access to health care. Do you consider the delisting of chiropractic services a reduction in access to health care?

**1450**

**Hon George Smitherman (Minister of Health and Long-Term Care):** I remember when that party's leader was campaigning in 1995. He promised not to close hospitals.

I want to say in response to the honourable member the same thing I've now said about 10 times over the course of the last two days: Our government's budget on Tuesday will demonstrate our commitment to universally accessible, publicly funded health care in the province of Ontario. We will expand on programs in order to enhance the quality of health care in the province of Ontario. Beyond that, I would urge the honourable member to stay tuned for Tuesday at 4 o'clock.

**Mr Miller:** Minister, why don't you rule out the delisting of chiropractic services? You promised greater access to health care in the election, and I'm sure you want to make health care more cost-effective, as I do. Chiropractic services are not only necessary medical treatments for many but they are an exceptionally cost-effective part of the system. The Manga report, published in 1993, showed that chiropractic services were by far the most cost-effective way to deal with lower back pain. Eliminating coverage of this is just going to cost government more by having to rely on medicinal treatments and additional visits to physicians or emergency departments.

Given that chiropractors are such great value for the money invested by the province of Ontario, why would you even consider cutting back paying for chiropractic services?

**Hon Mr Smitherman:** I think that the honourable member has been involved in a game of speculation. His party has been doing that on a number of fronts.

The decision time is coming soon, and people will have an opportunity to gauge by that. I believe that what they'll see from our government is a commitment to restore essential public services in the province of Ontario: health care, education and the quality of life in our communities. Beyond that, Tuesday at 4 o'clock is my recommendation.

## PUBLIC TRANSPORTATION

**Mr Tony C. Wong (Markham):** My question is for the Minister of Transportation. Minister, as the MPP for Markham, I'm delighted with last Friday's announcement on the rapid transit expansion for York region. As a former regional councillor, I strongly supported the major improvements to York region's transit system. My constituents and I are very pleased that the provincial government is following through on its commitment to York region to invest in public transportation sooner rather than later.

The \$150-million investment for Quick Start, the first phase of the York region rapid transit plan, from the provincial, federal and regional governments will ensure that urban centres in York region, and especially the town of Markham, will continue to contribute to Ontario's economic growth by tackling gridlock and creating a reliable public transit system.

Minister, my question to you is, can you tell me what the residents of Markham can expect from the York region rapid transit system?

**Hon Harinder S. Takhar (Minister of Transportation):** First of all, I want to thank my colleague from Markham for his support, his persistence and for his patience as well.

The York rapid transit plan is to start on September 1 with the Quick Start program. When the program is fully developed, it will serve four corridors: Yonge Street, Highway 7, Markham—

**Mr Frank Klees (Oak Ridges):** You're answering the wrong question.

**Hon Mr Takhar:** —do you want to answer it?—Markham north-south link and Vaughan north-south link.

We are making these strategic investments in order to make sure that we can serve the people of Markham better than the other government had ever done before.

**Mr Wong:** Thank you, Minister, for that answer. As you know, convenience and ease of access are hallmarks of successful public transit systems. The residents of Markham deserve no less and, in fact, demand these features in order to commit to regular usage of the new rapid transit system. The success of this new system is expected to produce a 30% increase in transit ridership in York region, removing 7,000 car trips a day off the road.

Minister, how will the new rapid transit system allow Markham residents to easily and conveniently access public transit, thereby alleviating traffic gridlock?

**Hon Mr Takhar:** Again, I want to thank my colleague for his question. Quick Start will help connect Markham, Newmarket, Richmond Hill and Vaughan along the four key transportation areas. The Markham area will also be connected to GO Transit and the TTC as well. We also plan to make sure that York residents and Markham residents can go to the Brampton area, as well as to the Durham area. We will also make sure that the buses we require are state of the art and can serve the people of Markham well.

## GASOLINE PRICES

**Mr Peter Kormos (Niagara Centre):** To the Minister of Tourism: I know that when you said yesterday that high gasoline prices weren't going to hurt our tourist operators down in Niagara or, for that matter, anywhere else in Ontario, you didn't really mean it. Because you know these tourist operators, small mom-and-pop operations, restaurateurs, people selling souvenirs, people running their bed and breakfasts, and you know that when gasoline prices are skyrocketing, people aren't coming to these drive-to destinations. People don't fly to

Niagara Falls, they drive to Niagara Falls; people don't fly to Huntsville and area, they drive to Huntsville and area.

Minister of Tourism, please, you're the senior member of your caucus, the senior member of your cabinet. Stand up and warn your colleagues, warn your government that high gasoline prices are going to have a serious impact on tourism, especially the mom-and-pop small business operators.

**Hon James J. Bradley (Minister of Tourism and Recreation):** I want to very much thank the member for that question. I usually don't thank people for questions, but that's a very good question.

I have to say to the member that all of us lament—not perhaps all, but I certainly do and I think he does—the dramatic increase in gasoline prices. It is affecting everyone in all jurisdictions in North America. For instance, I was in the city of Buffalo last Monday morning and they were talking about prices in western New York at the time. What we all want to see is that price of over \$40 a barrel come down. I know that that specifically is not within provincial jurisdiction.

I was checking the Agenda for People, the New Democratic Party platform. I thought there might be some good suggestions in there; I couldn't find any. I checked Rae Days to see if there were any suggestions; I couldn't find any. But I agree with him. It is a challenge and we have to help those tourist operators meet that challenge.

**Mr Kormos:** I appreciate your expression of concern around these extraordinarily high gasoline prices and the acknowledgment that they're going to hammer our small tourist operators this coming summer.

Don't look to the Agenda for People, don't look to Walkom's book; look to member Jim Bradley's Bill 16 from November 1999. I was here and I applauded you. I said, "By God, that's the kind of representation folks in Niagara need. I'm proud to be the member from St Catharines's colleague. I'm proud to support his legislation that would regulate gasoline prices." You see, Minister, back in 1999—and I've got to tell you that I like you personally—you stood up and proclaimed that the provincial government had the jurisdiction to control gasoline prices. Tourist operators are counting on you now. Stand up and declare clearly that your government should be using the Bradley formula from 1999 to control gasoline prices now, when tourist operators—

**The Speaker (Hon Alvin Curling):** Minister?

**Hon Mr Bradley:** I certainly thank the member for reminding me of some past legislation. I must say, I think that specific piece of legislation, as I recall, referred to the independent operators and the way they were dealt with. That's what the bill addressed. And I will be most happy to confer with the federal government in this matter to determine whether they are able to help these independents out.

I remember that when you were in government, I think you raised the tax on gasoline by 13%. I understood why. I remember that Brian Charlton and Jenny Carter, who

were both energy ministers in your government, actually watched as the gas prices went up, and they did come back down again. I know that the Minister of Energy is monitoring this matter carefully and is prepared to take whatever action he deems appropriate at the appropriate time.

1500

## DAIRY INDUSTRY

**Mr Jim Wilson (Simcoe-Grey):** My question is to the Minister of Agriculture. In a letter dated April 15, 2004, you advised the Dairy Farmers of Ontario and the Georgian Bay Milk Co that you are reviewing a decision of the Agriculture, Food and Rural Affairs Tribunal dated March 28, 2004.

Your letter indicated that you had taken it upon yourself to intervene in this matter "because of the importance to all stakeholders of the dairy export issue." However, instead of providing all stakeholders with an opportunity to be heard, you only notified two stakeholders and you gave them less than two weeks to respond. In spite of this limited notice and short deadline, I understand that you have received an additional 10 submissions from export processors and brokers.

Minister, will you assure the Legislature that your decision will carefully consider these exporters' views, including the letters written by companies like Nestlé and the association that represents Ontario's dairy processors, the Ontario Dairy Council?

**Hon Steve Peters (Minister of Agriculture and Food):** I thank the member for his interest in agricultural issues. I can assure the member as I stand before you today that all submissions will be considered, and I will use those submissions to base a decision on and will respond accordingly.

**Mr Wilson:** This is becoming an extremely important issue in terms of jobs and milk exports in the province.

One of the 10 letters that you would have received, Minister, was from a Hamilton dairy, an exporter called Salerno Dairy Products Ltd. Salerno advised you that losing its export business has already caused that company to lay off over 20 employees. Another major dairy exporter, Saputo, is shutting down plants in Ontario and investing in Argentina because it cannot get export milk here at home.

Will you assure this House and the people of Hamilton that your government will ensure the Georgian Bay Milk Co in my riding can continue to supply Salerno and other dairy exporters so that jobs and investment can continue to be maintained and created in Hamilton and across the province?

**Hon Mr Peters:** Again, I thank the member for his question. As I said, there have been a number of submissions made to the ministry as a result of this ongoing issue. These submissions are being taken into consideration and an answer will be coming in due course.

## TEACHERS' PROFESSIONAL DEVELOPMENT

**Mr Brad Duguid (Scarborough Centre):** My question is to the Minister of Education. This morning I had the opportunity to visit Bellmere Junior Public School in my riding, where I met a number of teachers and students, teachers and students still trying to cope with the legacy of a previous government that had a propensity to attack teachers rather than work with them. Bellmere Junior Public School serves a highly diverse population, with major language and literacy challenges as a result. However, the teachers involved in their highly successful reading recovery program demonstrated a renewed passion among their faculty, given the renewed respect that teachers have from the McGuinty government.

My question to the minister is, how will scrapping the professional learning program's teacher testing help restore peace and stability in our schools so that we can provide the best possible education experience for our students?

**Hon Gerard Kennedy (Minister of Education):** I want to congratulate the member for being at Bellmere junior school and seeing first-hand what needs to be done in education, and for taking that concern.

*Interjection.*

**Hon Mr Kennedy:** We heard already part of the reason that there is still an aspect of discouragement. The member opposite, a representative of the remnant of the former government, today couldn't deal with what's good for teachers and had to talk about union bosses, apparently has trouble sleeping at night thinking about that, and can't distinguish 115,000 dedicated teachers in classrooms all across the province from some—I don't know if it was a childhood scarring experience or whatever made him afraid of unions, but unfortunately it coloured the whole government.

What we have in mind instead is doing the work that should have been done eight years ago: sitting down with teachers and working out professional development, how much we can support, how much of it needs to be done at the school, how much has to be connected to the evaluations that teachers are going through. It isn't good enough to have the symbols, to do it the lazy way that government did. We will make sure that every teacher that we ask to accomplish—and we're asking them to accomplish a lot—gets the professional development they need so they are equipped to do the job we're asking of them.

**Mr Duguid:** Last week I had the opportunity to visit St Victor's school in my riding. At St Victor's school I sensed a renewed optimism in the classroom, now that I think teachers and students recognize they have a government that's passionate about improving the education system. Our teachers have had to cope with eight years of a government that appeared to prefer to confront and belittle the teaching profession rather than work in part-

nership with teachers to improve the quality of education in our classrooms.

My supplementary question to the minister is, how will the McGuinty government promote teacher excellence in our schools to ensure that our teachers have the skills, ability and passion to provide an education experience in Ontario that's second to none?

**Hon Mr Kennedy:** I should say to the other members of the House that there are gold stars coming from the Minister of Education for anyone who visits that many schools, MPPs back to school, but more importantly it's appreciated by parents and students that people actually connect, that they don't go there with blinders on, with preconceived notions.

All schools are different than the ones we went to. Our kids have to be better prepared than we were in our own time, and the key to that is making sure the teachers are prepared. We're looking at teacher mentoring programs. We're losing a lot of young teachers. We need to support them in the early years. We have experienced teachers who can do that. We need to create and support programs that will make that happen. When we ask teachers to do new things, we have to provide the training time. To throw a curriculum at teachers and hope it sticks to students isn't a way that's going to work. In this province today, when we do that, we'll provide either professional development days or resources to make sure that happens.

I look forward to other questions from the members opposite, to be able to elaborate on what needs—

**The Speaker (Hon Alvin Curling):** Thank you. New question.

## TOURISM BROADCASTING

**Mr Jerry J. Ouellette (Oshawa):** My question is for the minister from the Niagara region, my colleague the Minister of Tourism. As I know you are well aware, there are a great number of ambassadors for our province promoting many aspects of the life we enjoy. Whether it's snowmobiling or other activities such as fishing, many promote tourism through a televised audience, bringing in billions of dollars through the promotion or filming of those activities.

Last fall the CRTC made some substantial interpretive changes that pulled off a number of television shows promoting Ontario, many of which were actually filmed in Ontario. There was the problem that many of the films were filmed a year in advance, so what takes place, as I'm sure you're well aware, is that the fishing shows you see this spring were filmed last fall. These changes could not be done for those shows to be in place this year. Minister, what are you doing to aid this industry with the CRTC changes and to help promote Ontario in the film industry?

**Hon James J. Bradley (Minister of Tourism and Recreation):** That's an excellent question. I want to commend the member on that. We always want to help the industry in whatever way we can, and I would be

very interested in receiving further communications from the member on that.

It's most unfortunate that decision was made, because he's quite right. I have watched those shows. I have watched a number of shows, even one that the member was on. I won't say what show it was, but I agree with the member that those kinds of shows are of great interest, not only to people in various parts of Ontario who can enjoy this experience, but we even have people over the border who are watching those shows and have them available.

I'd be happy to look into this matter further. I know the member will be kind enough to give me all the necessary information. I'd like to have a meeting with him and see if, together, we can sit down and solve this problem.

**Mr Ouellette:** Just to give you more insight, the CRTC guidelines also state that mentioning a jurisdiction such as the province of Ontario would only be allowed as a classification of paid advertising time. I know you can well imagine the impact of that. Also, it does not allow for the mentioning of Web sites, such as your ministry, to promote Ontario. We are trying to get as much as we can to happen in Ontario, but another difficulty is that the various broadcasters are interpreting the guidelines differently, so one television station is interpreting it one way and another is interpreting it another way.

From your comments, I would hope that you're able to work with these broadcasters to ensure consistency in the interpretation of the CRTC guidelines. I would ask you to continue to promote Ontario through the tourism networks, through these agencies, to make sure that Ontario continues on. Minister, will you sit down with all these broadcasters and the people promoting Ontario to ensure consistency?

**Hon Mr Bradley:** The member brings up a very good suggestion as far as I'm concerned. That consistency is needed. You're quite right. When there is a declaration that comes down from the CRTC, it has to be something that's extremely clear so that there is not room for interpretation one way or the other.

## 1510

I'm disappointed with the fact that that information isn't able to be made available in programs of that kind without being declared to be an advertisement. I think a lot of the information we want to provide to people is simply public information; it's not necessarily an advertisement. Yes, we hope people are going to be favourably influenced by it, but not everything has to be an advertisement to simply gain a favourable impression of Ontario.

I would invite the member to come along with me to sit down with the broadcasters, because I don't think all the good ideas necessarily reside on one side of the House. I invite him to come along with me and we'll see if, together, we can solve this problem.

## HIGHWAY 24

**Mr Dave Levac (Brant):** My question is for the Minister of Transportation. The Highway 24 corridor between Cambridge and Brantford, indeed north of Cambridge and even south of Brantford, is a matter of great economic significance to the safety and the economic development of an area that serves, in effect, a population of over 1.2 million people.

Minister, you recently published and released an environmental assessment study design report for that highway corridor, the whole corridor, not just the highway. I would appreciate knowing what steps you're taking as a result of this report.

**Hon Harinder S. Takhar (Minister of Transportation):** First of all, I want to thank my colleague from Brant. He has a keen interest in it and has written me several letters, and I have copies of all those here, to promote this project.

I'm pleased to report that we have completed the first phase of the environmental assessment study, and that has identified some of the transportation issues. Based on that, we are going to move toward the second phase of the environmental assessment. That will require the route planning and also will identify what alternatives will be available to us. So we are moving ahead with this project. In the meantime, we have started a design for interim improvements to Highway 24, such as traffic signals at the Blue Lake Road intersection.

**Mr Levac:** That is actually very good news, to know that we are moving forward on that. It's a very important safety issue on that highway, not only just the economic development.

Now that you've taken these steps, I need to point out there's a working group that's initiated by the mayors of Brantford and Cambridge, consisting of no less than seven mayors, chambers of commerce, staff of municipalities and other invited guests who have been meeting to discuss this very important topic. Minister, will you meet with this working group, which includes such municipalities as, shall we say, Hamilton, Guelph, Cambridge, Brantford, Haldimand, Norfolk, Kitchener-Waterloo? And other groups have said they want to join this working group.

It's obvious there's a keen interest in this corridor. Will you be able to meet with this group, to help them push their agenda along for the safety of Highway 24 and also for the economic development of that corridor?

**Hon Mr Takhar:** I want to thank the working group for the excellent work they have done. I also want to thank my colleague for taking the leadership on this project. I will be more than delighted to meet that group and see where we go from there.

## WATER QUALITY

**Ms Marilyn Churley (Toronto-Danforth):** My question is for the Minister of the Environment. Yesterday you told this House that you are going to review all

drinking water regulations. I've read the material now and your new advisory council only has the mandate to review regulations under the Safe Drinking Water Act. Regulation 903 comes under the Ontario Water Resources Act and deals with the safety of well water.

Minister, you have to agree that this is a very important issue. Will you specifically direct your advisory council to review regulation 903, so that people who drink well water are protected as well?

**Hon Leona Dombrowsky (Minister of the Environment):** I'm happy to have this opportunity to address the question the member has raised.

I want to apologize to the members of the House. When I gave the statement yesterday, I was certainly of the opinion that the statement I was reading was the one they had. I understand there were some technical problems that prevented that, and I appreciate the direction from the Speaker on that.

With respect to the question the honourable member has raised with regard to regulation 903, recommendation number 86 of the O'Connor report is very clear about what the responsibility of the province is in terms of ensuring that wells are safe in the province. Regulation 903 is the regulation that, in fact, deals with that. There has been a great deal of discussion around whether or not it is adequate. I appreciate the point the member has made, but at this point in time, the ministry is of the mind that wells in the province of Ontario do have a safe regimen in place, and I will consider what the member has asked me to do.

**Ms Churley:** I thank the member for her apologies about yesterday's mix-up in statements and trust that it won't happen again.

Minister, I've raised this issue before, and I have to say it is reminiscent of my asking questions under the previous government, before Walkerton happened, warning them about dire consequences if certain regulations weren't fixed. I'm in the same situation here with you. There have been warnings from OPSEU, from the Canadian Environmental Law Association, that you're actually reducing the safety of our drinking water. You promised, the Liberals promised, to protect our drinking water. You spoke piously about Walkerton. Yet you are keeping in place a regulation that makes the water more dangerous to drink. So I'm asking you again, will you agree to review regulation 903 today, to protect the drinking water of the people of Ontario.

**Hon Mrs Dombrowsky:** I would like to take this opportunity to remind the member opposite, first of all, of the commitment of this government to protect drinking water. We have initiated a source water protection initiative in the province. We have introduced the Adams mine act. Yesterday was a very good news announcement. We have announced the Advisory Council on Drinking Water Quality and Testing Standards. We have also decided to investigate regulation 170.

I want to remind the member opposite of the commitment made by the NDP in 1990 that they were going to introduce a safe drinking water act—in 1990. They were

in government for five years. The member opposite was a member of cabinet, and they did nothing. I would suggest that we have done more in seven months to protect water in the province than the NDP did in five years.

#### MID-PENINSULA HIGHWAY

**Mr Tim Hudak (Erie-Lincoln):** The question is to the Minister of Transportation. Minister, could you notify the members of the assembly and the people of Niagara, specifically what concrete steps you've taken in the last seven months to advance the mid-peninsula corridor.

**Hon Harinder S. Takhar (Minister of Transportation):** I have answered this question several times in the House, and I have indicated before that we are absolutely committed to moving ahead with the full environmental process on this project. We are right now finalizing the terms of reference for this project.

**Mr Hudak:** With respect to the minister, frankly, the superficial responses to these questions are becoming very tiresome. It's very troubling to the people of Niagara. Minister, as you know, Niagara is a growing, dynamic and important part of the province of Ontario. This is the number one transportation issue, by far, in the Niagara Peninsula, and you continue to dismiss this issue by doing absolutely nothing in these past seven months.

Tremendous work has been done to date: The needs assessment has been completed, consultation on the terms of reference for the EA is completed, the study design is completed, and the EA is ready to be submitted to the minister. And you're telling me, in your answers to the order paper that you're going to scrap them all and go back three or four years—an additional three or four years added on before the people of Niagara can enjoy this new highway.

Minister, please tell me that you're not scrapping these reports and that you're going to move forward and accelerate this process, rather than taking us back to square one.

**Hon Mr Takhar:** As usual, the party on that side always enters into speculation. He thinks we are going to scrap it. We never said we would scrap it. We will consider the need assessment as part of the environmental process, but the member knows better what really comprises the environmental assessment. I have answered him in writing several times, and I have answered him in this House several times. We're going to move ahead with the environmental assessment process the way it's supposed to happen, and we will do it in a timely fashion.

1520

#### AIR QUALITY

**Mr Lorenzo Berardinetti (Scarborough Southwest):** My question is to the Minister of the Environment. I woke this morning to hear that much of southern Ontario will be blanketed in smog today. My constituents and the people of Ontario would like to know what your ministry is doing to deal with this situation.

**Hon Leona Dombrowsky (Minister of the Environment):** Certainly this government and the Ministry of the Environment are always very concerned with air quality issues in Ontario. The Premier identified this in our campaign and, I believe, has committed to some very bold actions that will enable us to begin to address the emissions issue in the province of Ontario.

The Premier and the Minister of Energy have committed to replacing coal-fired power plants in Ontario. The Premier has indicated that we will require Ontario electricity suppliers to obtain at least 5% of their electricity from clean, renewable sources by 2007 and 10% by 2010. We will reduce electricity use in government buildings by 10% by 2007. What's more, the McGuinty government will also require 5% ethanol content in gasoline by 2007 and 10% by 2010.

**Mr Berardinetti:** Last summer, the previous Minister of the Environment told Ontarians to stop using their barbecues. Do you have any practical advice for Ontarians on how they can better protect themselves whenever the air quality in our communities becomes poor?

**Hon Mrs Dombrowsky:** This is a very serious issue, and if we are going to have an impact on the climate change phenomenon, we all have to participate in the solution. I'm very happy to offer some suggestions to the people of Ontario in this House today.

Number one, my suggestion to those folks who live in an area where there is public transit is please leave your cars at home and take public transit. I ask that people consider conserving electricity in their homes by turning off lights and using less electricity. I've asked that they also consider using appliances such as gas-powered engines, lawn mowers and such, sparingly. They should not be used in this kind of weather. I'm also very proud to report today that our Premier is in Washington being, I think, a real leader on this issue.

#### COMMUNITY SAFETY

**Mr Robert W. Runciman (Leeds-Grenville):** I have a question for the Minister of Community Safety, and since the Liberal backbenchers and the minister chewed up so much time, I'll try to condense it into one question. It deals with Douglas Moore, the accused serial killer in Mississauga. I'm sure you've read a great deal about that, as most of us have, and have been horrified by the facts surrounding the murders of three young men and the suspicion of Mr Moore's involvement in those deaths.

There were some questions raised about whether the Peel Regional Police knew about Mr Moore's presence, and that raises issues about whether there should be changes to the community safety act in terms of more prescription and public notification. I would ask if you are looking into that, and I would also ask if you would consider calling an inquest—as minister, you have the authority—into the murder of René Charlebois. An inquest into René's murder could lead to the same positive recommendations that flowed from the inquest into the murder of Christopher Stephenson by sexual

predator Joseph Fredericks. Minister, I ask you to consider both of those and respond here today.

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** It's interesting that he's the minister responsible for bringing in the community safety act, which gives a chief of police or his designate the ability to announce to the public that a sexual predator who has been released is living in their community. It does not provide for mandatory reporting. When you brought in that act, if you felt that mandatory reporting was a requirement, why didn't you put it in?

**Mr Runciman:** That wasn't a political question.

**Hon Mr Kwinter:** Well, you're saying, "I brought in the act, I didn't require mandatory reporting and now I'm saying to you, 'Why don't you make it mandatory?'" I'm suggesting to you that you had the opportunity, if you felt that was what had to be done, to make it mandatory.

**The Speaker (Hon Alvin Curling):** That's the end of oral questions.

On a point of order, the member for Nepean-Carleton.

**Mr John R. Baird (Nepean-Carleton):** Thank you very much, Speaker; I appreciate it. I have a request for unanimous consent that we pass Bill 80, An Act to provide information to consumers respecting the price of gasoline and the ownership of gasoline retailers and to require certain additional information from major oil companies, standing in the name of my friend Bruce Crozier, that we have second and third readings right now. I ask for unanimous consent.

**The Speaker:** I heard a no.

#### PETITIONS

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Jerry J. Ouellette (Oshawa):** I have a petition that reads as follows:

"Whereas the Liberal government has said in their election platform that they were committed to improving the Ontario drug benefit program for seniors and are now considering delisting drugs and imposing user fees on seniors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To halt the consideration of imposing an income test, delisting drugs for coverage under the Ontario drug benefit plan or putting in place user fees for seniors, and to maintain the present Ontario drug benefit plan for seniors to cover medications."

I affix my name in agreement.

#### PROPERTY TAXATION

**Mr Jeff Leal (Peterborough):** To the Legislative Assembly of Ontario:

"Whereas recreational trailers kept at parks and campgrounds in Ontario are being assessed by the Municipal

Property Assessment Corp (MPAC) and are subject to property taxes; and

"Whereas owners of these trailers are seasonal and occasional residents who contribute to the local tourism economy, without requiring significant municipal services; and

"Whereas the added burden of this taxation will make it impossible for many families of modest income to afford their holiday sites at parks and campgrounds;

"Therefore, we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That these seasonal trailers not be subject to retroactive taxation for the year 2003; and that the tax not be imposed in 2004; and that no such tax be introduced without consultation with owners of the trailers and trailer parks, municipal governments, businesses, the tourism sector and other stakeholders."

#### CHIROPRACTIC HEALTH CARE

**Mr Ernie Hardeman (Oxford):** I have a petition here signed by a great number of my constituents.

"To the Legislative Assembly of Ontario:

"Whereas over 1.2 million people use chiropractic services every year in the province of Ontario; and

"Whereas those who use chiropractic services consider this an important part of their health care and rely on these services along with the OHIP funding in order to function; and

"Whereas the elimination or reduction of chiropractic services would be viewed as breaking the promise not to reduce universal access to health care; and

"Whereas by eliminating or reducing OHIP coverage of chiropractic services, where the patient pays part of the cost, will end up costing the government far more in additional physician, emergency department and hospital visits;

"Therefore, we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario does not delist chiropractic services from the Ontario health insurance plan, and that assurance is given that funding for chiropractic services not be reduced or eliminated."

I affix my signature to the petition.

#### ONTARIO BUDGET

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I have a petition to present to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas the parliamentary tradition in Ontario of presenting annual budgets in the House of the Legislative Assembly has existed for decades; and

"Whereas the previous government in 2003 showed disrespect for our public institutions and the people of Ontario by presenting a budget inside a private, for-profit auto parts factory; and

"Whereas the Dalton McGuinty government and the current Minister of Finance will be presenting the 2004 budget inside the Legislature on May 18, 2004;

"We, the undersigned, petition the Legislative Assembly of Ontario to uphold parliamentary tradition and hold a public presentation and debate of the 2004 budget, and every budget thereafter, by our publicly elected members of Parliament inside the legislative chamber."

As I agree with this petition, I affix my signature to it.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to present a large number of petitions from seniors across Niagara, including Fort Erie, Ridgeway, Niagara Falls, Wainfleet and Port Colborne, that read as follows:

"To the Legislative Assembly of Ontario:

"Whereas during the election campaign the Dalton McGuinty Liberals said they would improve the Ontario drug benefit program but now are considering delisting drugs and imposing higher user fees; and

"Whereas the Liberal government has increased costs to seniors by taking away the seniors' property tax rebate and increased the price of hydro;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors' drug fees."

In support, my signature.

1530

#### PRIMARY CARE

**Mr Jeff Leal (Peterborough):** "To the Legislative Assembly of Ontario:

"Whereas the community of Peterborough is suffering a crisis in terms of accessibility to health care brought on by a severe and growing shortage of family physicians; and

"Whereas the community of Peterborough has demonstrated extraordinary, strong local leadership in developing a proposal for primary care reform which is very innovative and will provide access to primary care for a growing list of more than 20,000 residents in our community without a family physician; and

"Whereas this proposal has been endorsed by the county of Peterborough, the city of Peterborough, the Peterborough County Medical Society, the Peterborough Community Care Access Centre, the Peterborough Regional Health Centre and the Peterborough County-City Health Unit;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To work with representatives of the local community to ensure that all residents of Peterborough have access to an appropriate primary care provider through the timely

implementation of the proposed integrated primary care model, as this model provides appropriate and equitable compensation for family physicians while incorporating sufficient interdisciplinary health care providers, community linkages and appropriate administrative, infrastructure and information technology supports to enable health professionals to enjoy a more realistic, healthy work-life balance."

I'll affix my signature to this petition.

#### GO TRANSIT SERVICE

**Mr Bob Delaney (Mississauga West):** I have a petition to the Legislative Assembly of Ontario from another group of weary commuters in northwest Mississauga.

"Whereas the city of Mississauga has, within a generation, grown from a linked collection of suburban and farming communities into Canada's sixth-largest city, and tens of thousands of people daily need to commute into and out of Mississauga in order to do business, educate themselves and their families, and enjoy culture and recreation; and

"Whereas gridlock on all roads leading into and out of Mississauga makes peak-period road commuting impractical, and commuter rail service on the Milton GO line is restricted to morning and afternoon service into and out of Toronto; and

"Whereas residents of western Mississauga need to commute to commute, driving along traffic-clogged roads to get to overflowing parking lots at the Meadowvale, Streetsville and Erindale GO train stations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Transportation and highways, instruct GO Transit to allocate sufficient resources from its 2004-05 capital budget to proceed immediately with the acquisition of land and the construction of a new GO train station called Lisgar at Tenth Line and the rail tracks to alleviate the parking congestion and provide better access to GO train service on the Milton line for residents of western Mississauga."

On behalf of my entire street, I am pleased to sign this petition.

#### CHIROPRACTIC HEALTH CARE

**Mr Jerry J. Ouellette (Oshawa):** I have a petition to the Legislative Assembly, and it reads as follows:

"Whereas over 1.2 million people use chiropractic services every year in the province of Ontario; and

"Whereas those who use chiropractic services consider this an important part of their health care and rely on these services along with the OHIP funding in order to function; and

"Whereas the elimination or reduction of chiropractic services would be viewed as breaking the promise not to reduce universal access to health care; and

"Whereas by eliminating or reducing OHIP coverage of chiropractic services, where the patient pays part of the cost, will end up costing the government far more in additional physician, emergency department and hospital visits;

"Therefore, we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario does not delist chiropractic services from the Ontario health insurance plan, and that assurance is given that funding for chiropractic services not be reduced or eliminated."

I affix my name in support.

#### TTC RIGHT-OF-WAY

**Mr Tony Ruprecht (Davenport):** I have a petition which is important to every person residing near St Clair Avenue. It reads as follows—

**Mr Mike Colle (Eglinton-Lawrence):** That's a good street.

**Mr Ruprecht:** St Clair is a very good street, yes. Thank you very much.

**Mr Colle:** A lot of good food and restaurants.

**Mr Ruprecht:** Good food, good restaurants, yes.

It reads:

"To the Parliament of Ontario and Minister of the Environment.

"Whereas an environmental assessment is underway on St Clair Avenue West to study potential transit improvements, including the possibility of installing a dedicated TTC right-of-way;

"Whereas the consultation process so far has been in bad faith, top-down and rushed, which has disappointed and angered the local community almost entirely, and not been up to any acceptable public standards;

"Whereas comments by the chair and the members of the Toronto Transit Commission have made it clear that there is a predetermined outcome to the environmental assessment process, regardless of the objections of the local community;

"Whereas a dedicated right-of-way would restrict left-turn access to neighbourhood streets north and south of St Clair, and a barrier down the centre of St Clair would force the vast majority of residents to make U-turns and go further out of their way just to get home or go to work;

"Whereas a dedicated right-of-way would force significantly more traffic on to local streets;

"Whereas safety must be a high priority for any alternative selected and, according to the ambulance and fire department staff, they don't like to work with rights-of-way;

"Whereas a right-of-way would lead to the reduction or elimination of on-street parking on St Clair Avenue West;

"Whereas traffic bottlenecks at certain intersections and underpasses are already terrible, and certain chronically problematic intersections and underpasses could not stand to lose one of these existing two lanes;

"Whereas the right-of-way will have substantial negative economic effects on local businesses;"—

**Mr Colle:** All right with the "whereases"; let's just sign them.

**Mr Ruprecht:** One more.

"Whereas there is no guarantee that a dedicated right-of-way will improve transit service substantially, as the number of streetcars serving the street will actually be reduced;

"Therefore we, the undersigned, strongly urge the Minister of the Environment to order a full environmental assessment on St Clair Avenue West, one that genuinely consults and takes into consideration the views and opinions of the local community."

Since I agree with this petition, Mr Speaker, and I know you do too, I'm delighted to sign it.

#### IMMIGRANTS' SKILLS

**Mr Mike Colle (Eglinton-Lawrence):** I only have three "whereases." The member from Davenport is the king of the whereases.

A petition to the Legislative Assembly of Ontario—I hate to use this word, but:

"Whereas Ontario enjoys the continuing benefit of the contributions of men and women who choose to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

"Whereas newcomers to Canada who choose to settle in Ontario find frequent and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

"Whereas Ontario, its businesses, its people and its institutions badly need the professional, managerial and technical skills that many newcomers to Canada have and want to use;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Training, Colleges and Universities and the other institutions and agencies of and within the government of Ontario, undertake specific and proactive measures to work with the bodies regulating access to Ontario's professions, trades and other occupations in order that newcomers to Canada gain fair, timely and cost-effective access to certification and other measures that facilitate the entry or re-entry of skilled workers and professionals trained outside Canada into the Canadian workforce."

I, along with the good citizens of Mississauga in the Battleford Road area, my Page Natasha Persaud from Eglinton-Lawrence, and the member from Davenport, all agree with this petition. I will affix my name to it with honour.

#### PHYSIOTHERAPY SERVICES

**Mr Tony Ruprecht (Davenport):** I have a petition with only one "whereas." This petition reads as follows—

**Mr Mike Colle (Eglinton-Lawrence):** How long is it?

**Mr Ruprecht:** It's less than 50 seconds. Just relax.

**Hon David Caplan (Minister of Public Infrastructure Renewal):** We're timing you now.

**Mr Ruprecht:** You can go ahead right now. Look at the clock.

**The Speaker (Hon Alvin Curling):** Please go on.

**Mr Ruprecht:** Mr Speaker, I'm delighted to present this petition to you. It reads as follows:

"Whereas seniors and other qualified patients require the continued provision of physiotherapy services through schedule 5 clinics to promote recovery from medical conditions and continued mobility and good health;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The patients of schedule 5 physiotherapy clinics request the continued support of the Legislative Assembly of Ontario for provision of OHIP-covered physiotherapy treatment to qualified seniors and others in need of these vital health care procedures."

If I was more than 50 seconds, I apologize.

1540

#### ONTARIO BUDGET

**Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale):** "To the Legislative Assembly of Ontario:

"Whereas the parliamentary tradition in Ontario of presenting annual budgets in the House of the Legislative Assembly has existed for decades; and

"Whereas the previous government in 2003 showed disrespect for our public institutions and the people of Ontario by presenting a budget inside a private, for-profit auto parts factory; and

"Whereas the Dalton McGuinty government and the current Minister of Finance will be presenting the 2004 budget inside the Legislature on May 18, 2004;

"We, the undersigned, petition the Legislative Assembly of Ontario to uphold parliamentary tradition and hold a public presentation and debate of the 2004 budget, and every budget thereafter, by our publicly elected members of Parliament inside the legislative chamber."

I put my signature to this as well.

#### BUSINESS OF THE HOUSE

**Hon David Caplan (Minister of Public Infrastructure Renewal):** Mr Speaker, pursuant to standing order 55, I rise to give the Legislature the business of the House for next week.

On Monday, May 17, Bill 18.

On Tuesday, May 18, will be the presentation of the budget by the finance minister here in the Legislature of Ontario.

On Wednesday, May 19, will be the response to the budget statement that is going to be made here in the Legislature by the leader of the official opposition or by an opposition member.

On Thursday will be the beginning of the debate, led off by remarks by the leader of the third party.

## ORDERS OF THE DAY

**Hon David Caplan (Minister of Public Infrastructure Renewal):** I believe we have unanimous consent to move a motion without notice respecting consideration of Bill 31, An Act to enact and amend various Acts with respect to the protection of health information.

**The Speaker (Hon Alvin Curling):** Do we have consent? Agreed.

**Hon Mr Caplan:** I move that when the order for third reading of Bill 31 is called, 20 minutes shall be allocated to each party with no questions or comments to follow any speech, and that if the recorded division is required, the vote be deferred until deferred votes on Monday, May 17; further, that the NDP member be allowed to speak first in rotation.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

## HEALTH INFORMATION PROTECTION ACT, 2004

### LOI DE 2004 SUR LA PROTECTION DES RENSEIGNEMENTS SUR LA SANTÉ

Mr Caplan, on behalf of Mr Smitherman, moved third reading of the following bill:

Bill 31, An Act to enact and amend various Acts with respect to the protection of health information / Projet de loi 31, Loi édictant et modifiant diverses lois en ce qui a trait à la protection des renseignements sur la santé.

**Ms Shelley Martel (Nickel Belt):** I'd like to thank the members for giving me the opportunity to proceed first in rotation this afternoon. We support Bill 31 on third reading. We did at second reading as well. I appreciated the opportunity as health critic to participate on the committee during both the public hearing process and the two sets of clause-by-clause that took place.

Privacy legislation in Ontario has been a long time in coming. Under the previous government, there were no less than four iterations of privacy bills put forward, where there was much public discussion, public consultation, there were draft bills, some even went to committee and, at the end of the day, under the former government, there wasn't a bill that was finally agreed upon. It became even more incumbent for Ontario to do something after the passage of the federal privacy

legislation, which took place and went into effect January 1, very specifically in the health care sector so that the sector itself would be dealing with protection of people's personal health information.

So that is where the bill comes from, and it clearly was extremely important, because many people thought that the federal legislation did not go far enough and did not very specifically apply to the health care sector; and it doesn't and it didn't. So now we have a piece of legislation that will deal very directly with all of those providers, who are called "custodians" in this bill, who will now have very serious and important responsibilities to deal with the protection, disclosure and transferral of people's private health information.

During the debate on second reading, I raised four concerns with respect to the bill. I want to go through those concerns again to point out where they have been dealt with in a positive way, and talk to you about two of the concerns that were not dealt with.

So let me begin with the first, which had to do with section 37(3) of the bill. This was a section that related to the disclosure of personal health information with respect to someone being in a health care facility. The particular section talked about the facility, ie a hospital in many cases, being able to provide information to someone who would call, requesting information about someone who was a patient in that facility. So before the amendments, the bill would have permitted a caller to call a health care facility—let's use a hospital in this case—and find out the following information: (a) whether or not a certain individual was a patient or resident in that facility; (b) what the general health of that individual was, including critical, poor, stable or satisfactory; and (c) the location of the individual in that particular facility.

During the public hearings, we heard concerns raised by a number of groups, who represented both people living with HIV/AIDS and people who suffer from mental illness—and, in particular, their advocates—that it would be most detrimental for those individuals in particular to be subject to this provision, that in a number of cases, perhaps the family and friends of those individuals would not know that they were suffering from a mental illness because that had not been disclosed to them, would not know that they had HIV/AIDS, because that had not been disclosed. But a caller calling into a facility could essentially gain that kind of information based on the location of the patient in the facility. So, for example, if they were calling a hospital that had a particular wing for acute care, for people who were in a very serious mental illness state, an acute state, if you could call and get information about their location, then you could know exactly what their illness was, know what they were suffering from. A number of people made representation to say that the disclosure of that kind of information for these people suffering these kinds of illnesses would cause them more harm, be much more detrimental than it might be for someone else who was on a ward in a hospital, for example, recovering from surgery. I agreed with that.

The first time we did the clause-by-clause for this bill, we looked at some potential changes and the ministry said they weren't able to come up with language. During the debate on second reading, I encouraged the ministry to look at this particular section again to really protect the health care interests of these folks. And to their credit, the ministry staff made some changes that now means that express consent of a patient in a facility must be requested and must be granted before any of that kind of information is disclosed.

**1550**

So as the bill has been amended for the second time, this section now reads very clearly:

"A health information custodian that is a facility that provides health care may disclose to a person the following personal health information relating to an individual who is a patient or a resident in the facility if the custodian offers the individual the option, at the first reasonable opportunity after admission to the facility, to object to such disclosures and if the individual does not do so"—to then confirm:

"1. The fact that the individual is a patient or resident in the facility.

"2. The individual's general health status described as critical, poor, fair, stable or satisfactory, or in similar terms.

"3. The location of the individual in the facility."

So the change—which is a positive change that responds to the concerns of those who came forward to point out this section—is that now the express consent of the patient must be sought by the health information custodian before any information is given by the health information custodian to someone who calls in. I think that's an important change and one that goes much further than in the original draft to actually protect privacy rights and personal health information, particularly of those people who suffer from mental illness or those people who suffer from HIV/AIDS.

The second concern that I raised came in subsection 72(11) of the bill, and that was the section dealing with the regulation-making process. Under the bill, there will be a public process for regulations, and I appreciate and support that. The minister, as he makes regulations in this regard, will be publicly, through a notice on the Gazette, letting the interested parties know what the proposed regs are. There is a period for consultation, there is a period for ministerial comment etc. So it's going to be an open process for a bill that's very important, and for the regulations, which are very important as well.

What I disagreed with in the original draft was that in this particular section it said very clearly that there would be no review of a ministerial decision to not have a public process or public consultation with respect to regulations. So if the minister decided that for some regulations he or she did not want the public process that is described in the bill to be implemented, then there was no opportunity for a review of that decision.

I said during second reading and during the original clause-by-clause that that didn't make any sense to me,

that the ministry was trying to move to have a very public process and any section that specifically denied a review of a decision to deny that process would only lead people to wonder what the ministry had to hide. I didn't think it would put the ministry and the minister in a very good light.

I suggested very strongly that there should be a review, and the review should be done by the Freedom of Information and Protection of Privacy Commissioner because she is the one who will have responsibility for this bill. She will take the lead in the implementation of this particular bill.

When we came back for clause-by-clause the second time, there was a change, and the change does now allow for a review of any decision that has been made by the minister to not have a public process with respect to certain regulations. The change now will allow any person to apply for judicial review under the Judicial Review Procedure Act on the grounds that the minister has not taken a step required in this section. So there is now the opportunity for a review of the decision, and I appreciate that change.

It is not the change that I favoured, because I continue to believe that the person who would best be in a position to do the review would be the Freedom of Information and Protection of Privacy Commissioner, since she will have overall jurisdiction for the bill. That was not the change that the government moved forward with. I appreciate that the option the government is putting in place will probably have costs for individuals as well, which wouldn't be the case if the appeal was to the FOI commissioner.

Having said that, there is now room and opportunity and a process for a review, and I think that's a good thing. The government will never find itself in a position of someone or some body or some organization saying that the government had something to hide when it decided not to have a public process around the implementation of regulations under this bill.

There were two other concerns I had raised that were not dealt with, and let me just talk about those for a minute. We had representation by faith communities. They came together as a group and provided the committee with a very interesting presentation about their concerns with respect to the bill.

After their presentation to us, the government did make two of the three amendments that had been requested by the faith community. The third amount that had been requested, however, was the following, and I'm quoting from their letter to the committee: "Where an individual who is a resident or patient in a facility that is a health information custodian is in a life-threatening condition, the health information custodian shall inform a representative of the individual's religious or other organization where that group is known by implication or otherwise."

Obviously, if that had been implemented, it would have put an obligation or an onus on the faith communities themselves to provide contact information to the

various institutions so they would know whom to call. The faith communities said to us that they felt they could work with the Ontario Hospital Association and others in the long-term-care sector and other sectors to implement this particular provision.

The ministry did not move forward with the third amendment that had been requested by the faith communities. I wish they had, because we moved a long way to dealing with their concerns, and I hope we won't find ourselves in a position where we wish we had done what they asked us to.

I know there were concerns about how the faith community could participate under this bill. I think most of us recognized we had to meet those concerns. The ministry went a long way to doing that, and I wish we could have done the last part of this request in terms of making sure there could be some connection, when someone is in a life-threatening situation, to have someone of that faith community contacted.

The final concern I raised that hasn't been dealt with is a serious one, and it has to do with the cost of implementation of the bill. We heard from a number of presenters who expressed concerns about the timing of the implementation but also the cost. In fact, we made changes to the timing of the implementation at the request of the Ontario Hospital Association, for example, who very clearly said to us that it would take some time for them to change their computer systems in order to comply with the bill. So we did make those kinds of changes.

But I am very concerned that the costs regarding implementation will be very difficult for many of those community-based organizations that now fall under the bill. On second reading, I used the example of community-based mental health associations and organizations that did come forward and very clearly expressed concern in this regard. Many small, community-based mental health organizations don't even have a computer system to speak of, and under this bill they have some very important and very serious obligations, as do all other health care custodians, with respect to how information is protected, how it is kept, how it is disclosed to other health care custodians etc. Those obligations are indeed serious, and the penalties that flow, if there is disclosure, are also quite significant.

My concern continues to be that we have placed an undue and serious burden particularly on small, community-based health organizations that will find it extremely difficult to comply. We know that under the Conservative government many of these organizations have had their budgets frozen for the last number of years and will find it extremely difficult to find the money necessary to comply with the bill within their current operating budget.

There was no change on the part of the government to announce that funding would be made available, particularly to small health organizations, to actually implement the bill. I truly hope we don't find ourselves in a position, and that many of these small groups don't find them-

selves in a position, of unwittingly disclosing information or unwittingly not being in compliance with the legislation just because they can't afford to do so. I truly hope we are not going to find ourselves in that position, because that would be a very serious and very difficult and tragic situation indeed, because as I said earlier, the penalties can be quite serious under the bill.

So perhaps the government, as we start to implement the bill and people come forward to talk to the bureaucrats about the cost, will change its mind and do something, at least for the very small providers, the small health care custodians, many community-based organizations that want to comply, that have to comply, but know it will be very expensive for them to comply, and reconsider their position in this regard.

In closing, we have supported this bill and support it here again on third reading. There was a lot of work done over two sessions of clause-by-clause to make changes to the bill. Many amendments came forward, although many of them were technical in nature. I appreciated being part of the committee, and I do want to thank very much the bureaucratic staff who made themselves available at every opportunity to committee members for questions, comments and assistance, and also the minister's own personal political staff who travelled with the committee and tried to answer our questions as best they could.

We look forward to this legislation going into effect. I can only say again that I hope the government monitors it very carefully, not only to ensure it's implemented correctly but to deal with the ongoing concern I have about costs, to ensure it can be implemented properly, particularly for health care custodians that are small, community-based health organizations.

1600

**Mr Frank Klees (Oak Ridges):** I'm pleased to participate in this debate. Several times in the debate relating to this legislation we've talked about the role that the previous government and, in particular, the member for Kitchener-Waterloo has played in the development of this legislation. I'd like to add my thanks to my honourable colleague the former Minister of Health for her courage and the vision she showed in tackling this issue several years ago, and for her continued dedication to this important issue as seen in her contribution to the development of this legislation.

While the name and contributions of Elizabeth Witmer have come up several times in the discussion of Bill 31, I think it's important to understand just how far back the roots of this legislation actually go.

It was back in June 1996, nearly eight years ago, that our government began consulting with the health care community on the issue of health care privacy. We had in fact started work on a discussion paper almost immediately following the 1995 election. The next year, we put the paper out and followed it up with regional round table meetings that resulted in more than 100 written submissions. By November 1997 we had draft legislation ready for public consultation. That draft act and a plain-

language overview were then sent out for review and comment to more than 1,000 individuals and organizations. The overview alone was sent to another 4,000 people or organizations in Ontario.

On top of that, we held more regional consultations across the province, with another 200 written submissions coming back to the government as a result of that process. This was a large and long-term consultation process. The results then helped us to formulate the privacy act. We brought that forward through then-Minister Witmer in the year 2000.

It was actually that legislation that was the germination of so many of the concepts and provisions we see today in Bill 31; for example, the idea of the health information custodian, the importance of personal access to one's own records and the need for a careful balance between personal privacy and the legitimate needs of the health care system. Those were all elements of that original legislation and came about as a result of that extensive consultation. The ensuing debate covered many of the same areas we've seen discussed in the Bill 31 process. There were many valuable lessons learned over the past eight years that have been applied to make this a good bill.

I know that many of those lessons and improvements have been brought forward by the former minister. I'd like to join the long list of those who have paid tribute to her determination and foresight in starting the process that has brought us to this point of debating Bill 31 in this session of the Legislature.

I started with this historical review in order to put this bill into perspective for members here, as well as for members of the public. This is not a new effort by a new government. It is not even a new effort to address a long-standing issue. It is, rather, the continuation of a very long process that began with the determination of our government some eight years ago. To be fair, it has reached this stage in the House because the current government was, to its credit, willing to learn from those eight years of experience and listen to the voices from this side of the House.

I can only wish that we could see the same kind of respect for the experience of members here on other issues that are before the Legislature, such as Bill 8. A number of members opposite are on that committee. It's unfortunate that they are not empowered, as members of the backbench, to take the kind of initiative they know they should, because that bill continues to be so very flawed, in spite of the many amendments that have been made to it. I won't name the members because I want to save them the embarrassment, but they are here, to their credit. I see them cringe as we're in that deliberation in the committee because they know they are doing serious damage to the health care system through Bill 8. However, there's still time. We still have some time in that committee for some amendments. We trust that, perhaps, some wisdom will prevail.

Of course, we're not here to speak about Bill 8, so I'll return to Bill 31. Just in the short time I have available, I

want to make reference to some of the key issues of this bill. The first of those issues is the change in information technology over the years within the health care field, and the importance of this bill as it relates to privacy matters.

One of the reasons our government tackled the tricky issues of health care privacy was the trend in IT. Every doctor's office, every clinic and hospital, has become highly computerized. These advancements in technology forced us, as a government, to face the reality of what to do about private information issues and the potential attack on privacy as a result of that. Those trends continue and in fact accelerate almost daily. It has increased the need for legislation like Bill 31.

When one's complete and confidential records can be stored on a USB key smaller than your small finger, there is a great danger of that particular information perhaps being lost, stolen or copied by others. So when these complete records can be transmitted anywhere in the world within seconds, there is a greater danger of them being shared inappropriately, or perhaps misdirected or taken without the patient's consent.

We saw these dangers growing and knew that the old rules, which applied to paper records, could not meet the demands of the electronic age. So inherent in this bill are a number of provisions that will ensure the safeguarding of that important medical information.

There's another issue that gave rise to this bill. That is the fact that we have a significant pressure on funding in the health care field, not only in Ontario, but across the country. For that, to a large degree, we can credit Paul Martin and the federal Liberals. As a result, we have made provision in this legislation, through amendment, to ensure that hospital foundations will be able to access some of the records, limited as they are, with regard to patients, so they can continue the good work of fund-raising to former patients of the facility.

As I say, there are safeguards in place for that. There are restrictions on hospitals, being able to sell that information. Particularly, given the funding pressures on our hospitals today, it's important for hospitals, for foundations which raise in excess of half a billion dollars annually, to be able to continue that practice.

This bill addresses a number of privacy issues. As the official opposition caucus, we feel it is very important that we have this framework in place, which is why we will be supporting this legislation. There are some areas, I might say, that we believe still need refinement, still need some revision, and we believe that can be addressed before the bill is actually implemented. From that standpoint, I expect there will be consensus from members in the House to give support to this bill, with those exceptions.

I now want to yield the floor to my colleague for the remaining time we have, and again give credit to my colleague Elizabeth Witmer for the good work she's done in years past to bring this bill to the point where it can be debated today.

1610

**Ms Laurie Scott (Haliburton-Victoria-Brock):** I'd like to thank the member from Oak Ridges for sharing his time with me this afternoon, and would also like to pay tribute to all the parties in the Legislature for their co-operative spirit during this legislation.

*Applause.*

**Ms Scott:** A standing ovation.

As my colleague from Oak Ridges mentioned: It was a difficult problem to tackle; our colleague from Kitchener-Waterloo was the first to tackle this; and it's certainly full of special challenges. Anything to do with the privacy of personal information is going to be sensitive; it's simply human nature. Particularly, having worked in a hospital, the sensitivity of medical records and anything to do with physical or mental health or anything about our bodies or minds is as personal as it can get. But we do have to look to the future and update. Computers and technologies have dramatically changed the whole playing field in medicine. So people are understandably concerned with electronic storage of information.

We're trying to get away from the thick file. My own community health centre is trying to look ahead into a modern age that won't be full of paper but will be based on electronic data that's going to save a lot of space. But this certainly opens up potential for threats to the security of health records. The new technologies are welcome, but have left the security of information more and more difficult to maintain.

Another reason this is a difficult issue to tackle is the sheer number of stakeholders involved. Health care privacy directly affects every person and family in Ontario, but it's also of intense interest to every organization and company involved in diagnostics and treatment, pharmaceuticals, chronic care, health insurance—the list goes on and on. Each of these sectors has concerns, ideas and visions of what they would like to see happen. It's certainly a minefield we're walking into, but we need to start addressing the sensitive and complex issues involved. I think all members of the House and the people of Ontario do owe a great debt, as the member from Oak Ridges has said, to Elizabeth Witmer for initiating action on this issue.

In light of the treatment we've seen of similar issues, such as Bill 8—and I know we're on Bill 31—it's refreshing to receive the kind of positive reception to the concerns and ideas that we have seen. The House and this government could certainly use more of this kind of positive, co-operative work. Too often we've seen the government fall into the trap of refusing to consider useful and even necessary amendments to legislation simply because they're proposed by the opposition. These responses are automatic, but it's important that we accomplish the genuine business of this place: debating and helping to create laws for the people of Ontario. We're thankful that they were open to amendments. We're looking to go back to make any changes, which I will mention, to be considered later on.

I'm very pleased to speak to Bill 31—the improved piece of legislation it is now, compared to when we started at first reading. Compliments to the committee for all the work they've done on that.

I think the legislation holds together very well and will contribute significantly to its goals. We have legislation now that will go a long way toward protecting the confidentiality of health records. It's not perfect, but it is full of compromises, and it has a couple of unfinished corners that I will address for a few minutes.

First of all, in the implementation of Bill 31, the success or failure of these important initiatives is still very much up in the air. Solid legislation like we have here is not enough to ensure the privacy of health records. It's going to take ongoing dedication and attention from the government to make sure the goals set out in Bill 31 are actually achieved, and to recognize that it will require adaptation and change on a very large scale.

I'm glad to see that the government heeded the concerns of many organizations about the short time limit before the new regulations are imposed, and accepted the amendment to at least give organizations till next January for implementation of these, which certainly helps a lot of the smaller centres, as mentioned before by Ms Martel.

In helping medical professionals and organizations to become prepared, two key elements must be present. One is continued consultation and amendment to resolve complex issues, such as the lockbox concept. The six-month delay will help in solving the lockbox issues.

The other is the regulatory powers granted to the minister and the government by this legislation. This is a bit of an echo of the concerns we heard in respect to Bill 8, and I'm hoping the government is listening to the dangers of pushing new powers for demanding more accountability without offering any in return. We truly want co-operation and active participation of the people in the organizations in the new way of doing things, and we have to demonstrate mutual action and responsibility. Simply telling people what to do and demanding their co-operation because it is for their own good will not suffice and may backfire. We do not want that to happen.

It's very important for the government to hold equally broad consultations, not only on the legislation but certainly on the regulations. As I mentioned before, this will be an ongoing update as technology expands further, so we want more consultations and ongoing recognition of the needs and concerns of the stakeholders and the implementation of the suggestions they're recommending.

There are good reasons why we have two ways of granting authority for government action. I think my friends across the floor need to be reminded every once in a while, as I'm sure all political parties do, that the most important aspects of a law are supposed to be dealt with through legislation, the government bringing it before the Legislature. It's simply a core value of democracy, and we've talked a lot about democratic renewal and more democracy.

Regulations are meant to deal with smaller, everyday aspects of the law. They're meant to spare the entire Legislature the time and energy to debate non-controversial topics or those that must be changed very frequently or very quickly. Regulations should not be used to make fundamental changes in a law, and each law should be written to prevent that from happening. In some cases, by accident or design, the law does not allow itself to be changed through regulation. That's very true when it comes to this bill and the new regulatory powers it grants.

I want to quote the OMA representative, who told the committee:

"I would like to note for this committee our concerns about the extensive regulation-making powers found in the bill. They are so wide-ranging that they allow the government to change virtually any aspect of the law by regulation. This is contrary to the traditional division of legislative and regulatory authority and represents an intrusion of the government's executive powers into the lawful powers of the Legislature. Not only does it create the power to completely undermine the content of the act, it undermines the democratic process of the Legislature. We recommend that this committee review the proposed regulatory-making powers closely with a view to significantly curtailing them."

I'm sure that given this government's strong public record of speaking out in favour of open government and democratic responsibility, they will take this OMA suggestion into account. I look forward confidently to further amendment of the bill, as the OMA has quite correctly requested.

Another point I'm going to touch on quickly is the concerns raised by hospitals, foundations and organizations about the mounting cost of modern health care—the impact of our aging population, increasing demand for sophisticated diagnostic treatments and preventatives, and the growing role that institutional fundraising has taken in meeting these challenges. The outstanding efforts of the hospitals, foundations and other institutions across the province have helped to increase our high level of care. So the money certainly is working. The work is coming from fundraising events and not the government.

Our government saw this coming for many years. We recognized the mounting pressures on the system and introduced the idea of using private funds to pay for the bricks and mortar of new hospitals. I'm glad to note that the current government has seen sense and is allowing the hospitals to go forward under the common sense funding method. I'm glad to see the government recognize that fundraising is not a luxury for our health care institutions, it is a necessity.

I look forward to more discussion on Bill 31 as it goes to committee and comes back for debate.

**1620**

**Ms Kathleen O. Wynne (Don Valley West):** Before I begin, I want to note that I'm going to be sharing my time with my colleagues for Etobicoke North and Mississauga East. I also want to acknowledge, as other

speakers have, the work of the other members in the House on the committee, particularly the members for Kitchener-Waterloo and Nickel Belt, neither of whom is here, but I want them to know that it's important, especially for new members, to have people on committees who are as knowledgeable about the legislation as they are. From my perspective, the process of getting Bill 31 to this point has been one of co-operation and collaboration, and it's been much appreciated.

Yesterday afternoon, the Minister of Community and Social Services, in a reception for community living, noted that it's unusual that members from all sides of the House can come together in a non-partisan way to support the promotion of a good idea. We were celebrating the consensus on the work of community living. This bill, although it's drier and somewhat less heart-tugging than our collective agreement on the work of community living, is nonetheless a piece of legislation that is necessary to protect the interests of all Ontarians.

When the Canadian Mental Health Association, Ontario division, came before us on committee, they articulated what the goals of an effective piece of personal health information protection legislation should be. They said that the primary goal of the legislation should be the protection of personal health information; providing an individual with access to their own information and the right to protect that information; that the legislation should recognize limited circumstances in which information could be collected, used or disclosed without consent; that the legislation should facilitate the sharing of information to improve health care while still respecting the individual's rights; that the information and privacy commission should be responsible for the legislation; that the legislation should be clear and easy to understand and use; and that it should not create an unnecessary administrative burden. They acknowledge that this legislation goes a long way to fulfilling all these goals.

In general terms, among other things, Bill 31 lays out parameters and rules around the handling of information and records, the storage of records, the destruction of records, because that's an important piece. Where does information go when we are destroying it and what does it mean to actually finally destroy information, especially in this technological age; who can access information; how is consent granted; how can consent be withdrawn; who has the capacity to consent to the sharing of information; who can be a substitute decision-maker; and what are the consequences in the case of a breach in any of these areas? Schedule B of the bill lays out how information is to be protected among members of quality assurance committees in health facilities in order to facilitate learning and treatment, because that information needs to be protected in order for a true sharing of information in those facilities to happen among the members.

Some of the legislation that passes through this House is legislation that's long overdue and addresses problems that should have been addressed decades ago. Much of it

brings to mind the adage that if you want a big tree, the best time to plant it was 40 years ago, but the second-best time to plant it is today. Bill 27, the Greenbelt Protection Act, is a prime example of that type of legislation. We should have been on that as a society a whole long time ago in terms of protecting our green space. Bill 31, although other members have said it, I agree has been a long time coming in terms of number of years. It really is privacy information that has become critical with the advances in technology and the sheer volume of information that we can gather and collect now, and with the complexity of our health care system.

The other precipitating motivation for this legislation is the fact that federal legislation has been put in place and will create confusion in the health sector if provincial legislation is not enacted. So those are the prime motivating factors.

Bill 31 deals with present need, but it also puts a framework in place to deal with future advancements. Last week, I had the privilege of attending the opening of a new facility to house the genetics program at the North York General Hospital. The North York General Hospital sits just outside of my riding, in the riding of Willowdale, but many constituents of Don Valley West consider it their community hospital. The facility is a terrific state-of-the-art home for this genetics program. Everyone involved in the development of it is to be congratulated. The program provides assessment and counselling, prenatal diagnosis, specialty genetic clinics in the Charlotte and Lewis Steinberg Familial Breast Cancer Clinic, Huntington disease, paediatric and general genetics clinics.

The reason I raised the issue of this genetics clinic is that, as I toured the facility and was shown the scope of the services provided, the information gathered and the diagnoses that can be attained, it occurred to me that there are some very specific questions around genetic information that pertain directly to this legislation. During the hearings on the legislation, the issues of sensitive personal information were raised, particularly in the context of mental health issues. But we did not get into an in-depth discussion of genetic information and the implications of the bill for genetic information and genetic research.

The particular issue relevant to genetic information is that genetic information is not only of relevance to an individual, it's of relevance to whole families. Genetic information is, by definition, information about whole families. It raises questions about who has the right to that information, and sets up a latent conflict between the rights of the individual and the rights of family members. It also raises the question of whether genetic information should be treated like all other health information or whether there need to be special parameters for the protection of genetic health information.

This is an international conversation, and these issues have not been resolved by this piece of legislation. Indeed, they are matters that we're going to have to keep talking about as a society. There needs to be a full dis-

cussion of the need for standards and approach, general expectations and protocols around genetic research and information.

But I raise it because Bill 31 does set out a provision for future information in clause 71(1)(l). What it says is:

"Subject to section 72, the Lieutenant Governor in Council may make regulations ...

"(l) specifying requirements, restrictions or prohibitions with respect to the collection, use or disclosure of any class of personal health information by any person in addition to the requirements, restrictions or prohibitions set out in this act."

So that allows for regulations to protect, for example, genetic information, to be made under that section.

This bill doesn't do everything. It sets up future regulations that we may need to put in place. There's no argument in this House about the need for this legislation. As a society, we're going to have to keep talking about the protection of private health information as we go forward. I am happy to support this bill.

1630

**Mr Shafiq Qaadri (Etobicoke North):** First of all, I'd like to speak and offer some remarks, not only as the MPP for Etobicoke North, but also as a physician. I can tell you that this legislation—as the MPP from Nickel Belt said, quite rightly—was a long time in coming.

This idea of protecting health information has many aspects that are worthy of our support. Codification of best practices—really, a formal itemization of what exactly is consent, be it informed, implied, extracted and, of course, recorded. It's a matter of dealing with the quality of care—for example, the full disclosure of medical mistakes or medical errors—and also for tracking purposes, for health planning and management, all the while maintaining confidentiality, security of information, but at all times having provisions for the utilizability or the usefulness of that information. In particular, something that's especially progressive with this bill is the fact that we'll have oversight and coordination from a central body, an independent agency, and that, of course, is the Information and Privacy Commissioner.

As has been mentioned in this chamber, we in the health care delivery sector are in fact health information custodians, not only guardians of information but guardians of the very people we deal with. This triggers a fiduciary role or a very massive patient-client privilege. In fact, I'd like to quote from *The Fountainhead*. Ayn Rand wrote: "Civilization is the progress toward a society of privacy. The savage's whole existence is public, ruled by the laws of his tribe. Civilization is the process of setting man free from man."

As a doctor, I can tell you that the information that crosses our thresholds, our desks, is sacred. The holding, the dissemination and the use of that information is sacred. For example, what exactly is the medical model? An individual will come and share information of an extraordinarily sensitive nature, baring all, be it body, mind or soul. We will collect information based on our history, our physical examination, and, of course, the

tests, be it of a physical nature or a mental nature. We will have subjected those patients to observation, examination, assessment, care, service and procedure.

What are some of the types of information that we may actually deal with? For example, there may be very sensitive information that individuals may not wish to share, be it of a sexual abuse nature, drug abuse, the status of being HIV positive or negative, depression, previous or current abortions, sexually transmitted diseases, alcoholism.

As family doctors, we'll track these individuals over time. We may know, for example, about previous marriages or even ongoing affairs or prison terms—even about some individuals who do not want to share with their own families, their own loved ones—or whether they have agreed to organ donation. So the circle of health care, that lockbox, this idea of consent, is very important.

One of the other things is a very interesting daily dance or juggling act that doctors will perform. As family doctors, we will often have multiple members of the same family, even multiple generations, all of whom ask us at various levels, in various ways, to act as snitches, to actually share information about other members of their family. Whether it is the Hippocratic oath or the College of Physicians and Surgeons or even our own medical training, there are very firm guidelines as to who can receive this kind of information without the express written authorization of the very individual concerned.

Of course there are fail-safes to this, whether it's dealing with communicable diseases such as tuberculosis, or police and public safety issues. For example, we'll be bringing legislation forth to communicate the idea of what to do with gunshot wounds when they present to emergency rooms and so on.

In general, this bill is very worthy, a long time in coming. As a physician, I wholeheartedly endorse it, in particular the aspects of still allowing the ministry and other health care planners full access to this information on a population-wide basis. With the issues of codification of best practices, health planning and management, all the while maintaining confidentiality, security and also our custodial nature regarding health information, this bill deserves our support.

**Mr Peter Fonseca (Mississauga East):** I'm privileged to rise in the House today to talk about Bill 31, the Health Information Protection Act, 2004.

The McGuinty government is committed to making our health care system work for the people of Ontario by making it more accountable and transparent to those who pay for it. One of the ways we're delivering on our agenda for positive change is with Bill 31. This bill will guarantee that Ontarians can be confident about how and when their health information is being used, and we'll ensure the enforcement of their rights.

Bill 31 is vital to our commitment to improve Ontario's health care system, a system that's the very best expression of the values we cherish as Canadians. At its core is the fundamental principle that patients are at the

centre of their care. Patient-centred health care is the principle guiding the changes our government is making to the province's health system.

As a government, we have a responsibility to ensure that Ontarians have the opportunities to be informed participants in their own health care and well-being. Patients must have the means to control how their personal health information is used. Bill 31 puts people in control of that information.

Our government's plan for positive change means making health care into a true system. What we have now is more a collection of separate silos than an integrated system. We don't have the tremendous patient benefits that can result from co-operation and interconnectedness. Our government is tearing down those artificial walls between the health care silos, walls that stand between the patients and the care they need and deserve.

With Bill 31, all health care providers working with a patient can share information and work as a true team to make the best possible decisions for that patient. Bill 31 will enable us to utilize the great potential of health information technologies to deliver better quality patient care and safer patient care.

With this legislation, people can have confidence that their personal health information is safe and secure, no matter where they receive their care in the province. Public trust in the security of personal health information is essential for innovations like the electronic health record that will enable us to transform health care. The electronic health record can help break down the silos and greatly enhance communications within the health care system. Patient care would become not only safer, but also more informed and comprehensive.

Since our government introduced Bill 31 last December, the standing committee has travelled the province to gather significant input on how the bill might be improved.

I thank the many individuals and organizations that have worked with us over the past months. Their contributions have been critical in improving this bill. Indeed, the bill reflects many of the suggestions, while remaining true to its original purpose and intent.

Our health information is highly personal and people are understandably protective of it. That's why Ontarians need and deserve health information privacy legislation. What's more, health care providers have been asking for such legislation for some time. They too deserve clear rules about personal health information so that they can deliver high-quality care across the spectrum of health system settings and situations.

I'd like to take a moment to acknowledge the work done by the previous government. Their work has helped to pave the way for Bill 31.

Now, with the additional input from our health care partners during public consultations, we've developed strong legislation to protect the privacy of Ontarians' personal health information.

Our government is particularly grateful for the spirit of co-operation that has characterized the development of

Bill 31. I'm very proud to say that we have all-party support for this legislation. We look forward to duplicating this approach in developing other future legislation that will best serve the people of this province.

Let me take a few moments to review the basic principles on which Bill 31 is based.

First and foremost, our legislation was developed with the patient in mind. Bill 31 provides legislative protection for the privacy, confidentiality and security of personal health information in the health sector. It will entrench in law many of the current practices and codes of conduct that already distinguish Ontario's health care providers.

Bill 31 gives people the right to have access to their personal health information records and to require correction of those health records if the information is incomplete or inaccurate. Bill 31 provides for oversight and enforcement of these rights, and for effective remedies if these rules are not followed. Bill 31 ensures that Ontarians can be confident about how and when their personal health information will be collected, used and disclosed, and that their rights will be enforced.

Once it becomes law, Bill 31 will give Ontario the strongest rules and limits ever on how health information is gathered and applied.

The McGuinty government is proud of Bill 31. We're also pleased to have had the opportunity to work closely with the health care partners and with the Information and Privacy Commissioner. We are convinced that Bill

31 best serves Ontarians. It serves the needs of patients, and it serves the needs of health care providers. It does so by providing clear, consistent rules for collecting, using, storing and sharing personal health information.

Health care is about people. It's about patients. This bill sets out, in a clear and balanced way, to ensure that patients have a system that's accountable and transparent—a system that respects the rights, their dignity and their privacy. By working together and by listening to the people of this province, I know that we have developed legislation that we can all take pride in. This is legislation that will best serve Ontarians now and far into the future.

**The Acting Speaker (Mr Joseph N. Tascona):** Mr Caplan has moved third reading of Bill 31. Is it the pleasure of the House that the motion carry? I hear a no.

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. There will be a five-minute bell.

This vote is deferred until Monday, May 17, 2004.

**Hon David Caplan (Minister of Public Infrastructure Renewal):** I move that the House do now adjourn.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until 1:30 pm on Monday, May 17.

*The House adjourned at 1642.*

*Continued from overleaf*

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No. 49

Nº 49

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 38<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 38<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 17 May 2004

Lundi 17 mai 2004



Speaker  
Honourable Alvin Curling

Président  
L'honorable Alvin Curling

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 17 May 2004

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 17 mai 2004

*The House met at 1330.*

*Prayers.*

### REQUEST TO INTEGRITY COMMISSIONER

**The Speaker (Hon Alvin Curling):** I beg to inform the House that I have laid upon the table a request by the member for Nepean-Carleton to the Honourable Coulter A. Osborne, Integrity Commissioner, for an opinion pursuant to section 30 of the Members' Integrity Act, 1994, on whether the Honourable Greg Sorbara, Minister of Finance, has contravened the act or Ontario parliamentary convention.

### MEMBERS' STATEMENTS

#### GASOLINE PRICES

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** Many have heard in the media about the stand taken in Simcoe by 71-year-old Terry Blake, the former owner of one of my favourite gas stations in Port Dover. Frustrated and tired of getting hosed by rising gas prices and the requisite rise in provincial and federal taxes, Mr Blake took matters into his own hands by paying \$20 for a \$25 fill-up.

Motorists across the province are feeling anger and despair, especially in rural Ontario, where public transportation is not an option. People are sick of being gouged while Liberal governments in both Ontario and Ottawa sit on their laurels ignoring pleas for action. Since the government took power, Ontarians have been overwhelmed by a series of higher taxes, rescinded tax cuts, user fees and a barrage of trial balloons that would see them paying more for the services they all deserve.

As the Liberals get set to unleash a budget beast that will attack wage earners' wallets, we hear no word of any possible relief at the pumps. Instead, we heard of a possible merging of the PST with the GST, adding another 6.2 cents a litre, even a potential increase in the 14.7-cent-a-litre provincial fuel tax. Ontario's coffers are already sucking \$3 billion in gas taxes annually. The lack of action by this government is a slap in the face to people like Mr Blake and every other motorist facing sky-high prices at the pumps.

CHRIS GARRETT

**Mr Lou Rinaldi (Northumberland):** It's with extreme sadness that I rise in the House today to announce the passing of Cobourg police constable Chris Garrett. Our community is struggling with the tragic loss of a loving husband, father, cherished friend, neighbour and a devoted police officer.

I would like to take this time to offer condolences to the family. Constable Garrett is remembered as a devoted husband and father, leaving behind his loving wife, Denise, and children, Ben and Britany.

Constable Garrett was slain in the line of duty early on Saturday morning, May 15, 2004, while responding to a 911 call. Constable Garrett is honoured as an 18-year veteran of the police services, serving 13 years with the Cobourg police force and five years with the Peel regional force.

I know I speak on behalf of all members of the House when I say that our thoughts and prayers are with the family and the community of Constable Garrett as they mourn the loss of this admirable man.

### CANADIAN TAXPAYERS FEDERATION PETITION

**Mr John O'Toole (Durham):** I rise in the House to note the overwhelming response to the on-line petition by the Canadian Taxpayers Federation that reminds the Ontario Liberal government to keep its promises. At noon, an announcement was made and thousands of petitions were presented. The numbers are growing to well over 10,000. These Ontario citizens are worried that tomorrow's budget will launch a new era of tax-and-spend policies in the province of Ontario.

The petition, addressed to Premier McGuinty, stated in part:

"On the 11th of September 2003 you signed a pledge to uphold the Taxpayer Protection and Balanced Budget Act if your party formed the next government of Ontario. You specifically promised to:

"Not raise taxes or implement new taxes without the explicit consent of Ontario voters; and

"Not run deficits."

You have now broken the mother of all election promises. You have also threatened that certain tax credits may be repealed, thus increasing the tax burdens for Ontario. You have further stated that you will not likely balance the budget in this fiscal year.

Let me quote an article from the Canadian Taxpayers Federation on the topic “Let’s Talk Taxes,” and it’s entitled “McGuinty’s Waterloo.” It notes that, as the Hamilton East by-election proved last Thursday, “Broken promises don’t sit well with the voters.” This article is a reminder that there’s still time for this government to do the right thing. I doubt it.

In the final days before the first Liberal budget, the federation calls for the alternative, such as eliminating waste, spending smarter, and reducing regulations. Look at your own house.

The article concludes, “If Premier McGuinty spent as much time finding ways to save money as he did finding new tax sources,” he would break still another promise. Tomorrow I expect tax increases all around.

### SCOTT CLARK

**Ms Monique M. Smith (Nipissing):** It was a very busy weekend in Nipissing. I rise today to speak about an important person in our community who was honoured over the weekend. The Rotary Club of North Bay awarded Scott Clark a Paul Harris Fellow for all of his community service. For the past 14 years, Scott Clark has been the morning man on our local radio station and has been an integral part of the life of our community.

On Saturday, 150 members of our community gathered with Scott’s family—his mother, brother, sister-in-law, and wife, Cheryl—to celebrate Scott and to thank him for all of that service. The Paul Harris Fellow, as you know, is the highest honour bestowed by the Rotary Club.

In his presentation, president Chris Mayne estimated that through his various charitable activities in the community over the years, Scott Clark had helped to raise nearly half a million dollars, as co-host of our mayor’s gala in support of our hospital; during his 52 Hours of Radio marathon with his co-anchors in support of disabled children in our community; emceeing at the Relay for Life in support of cancer and in support of our children’s treatment centre; and supporting a variety of charitable activities and events by volunteering as a DJ, a master of ceremonies or a celebrity guest. He has also entertained through Nipissing Stage. Through it all, Scott has brought his enthusiasm, his charm, his quick wit, his sense of humour, and his smile.

On Friday, he announced that he would be leaving the radio station, but the community sighed a collective sigh of relief when we found out he was staying in our community. He will have more time to spend with his wife, Cheryl, and his children, Ben and Micheala.

While we’ll miss him in the morning, we are very thankful for all that he’s done, and we appreciate the Rotary Club saluting him with the Paul Harris Fellow.

1340

### BY-ELECTION IN HAMILTON EAST

**Ms Marilyn Churley (Toronto-Danforth):** Thursday, May 13 was a new day for Hamilton, a new day for

Ontario and a new day for New Democrats. Voters in the Hamilton East by-election spoke loud and clear. They delivered a huge vote of non-confidence to the Liberal government and they gave an official vote of confidence to the NDP. They embraced a strong New Democrat voice for Hamilton, Andrea Horwath. She’s in the public gallery today. Let me be the first to congratulate her publicly in this Legislature.

They sent Dalton McGuinty a message: “You’ve broken your trust with the people. No more excuses. No more weak leadership. No more broken promises. It’s time to keep your promises and deliver real change, for a change.”

Andrea is not just another Liberal voice for Queen’s Park in Hamilton. She’ll be a strong voice for Hamilton at Queen’s Park. You can count on her to hold an out-of-touch government’s feet to the fire. She’ll fight for better health care and education and for a cleaner environment. She’ll fight to keep the Liberals from ripping off low-and middle-income families. She’ll stand up for our most vulnerable citizens and she’ll stand shoulder to shoulder with workers to fight for good jobs, safe workplaces and secure pensions.

Andrea will make a huge difference not just for Hamilton but for the entire province. If a hotly contested by-election gets Hamilton \$60 million over four weeks, imagine the difference Andrea and a recharged, re-energized NDP will make over the next four years.

### MISSISSAUGA MARATHON

**Mr Peter Fonseca (Mississauga East):** It’s with great pleasure that I share with you today an incredible event that occurred in Mississauga yesterday, Sunday, May 16.

For many years of my life I dedicated myself to running marathons in countless cities around the globe. It was with great pride that I encouraged 6,000 participants in the first annual Mississauga Marathon.

The organizers put on a truly world-class event on a beautiful course and on a wonderful day. Along with the full marathon, which is a distance of 42 kilometres, other events were included, like a two-kilometre family fun run which saw Mayor Hazel McCallion as a participant.

The small-town roots of Mississauga, albeit the sixth-largest community in our country, were evident throughout the event’s commitment to involve people from all walks of life. Young and old alike were active, as some simply ran to have fun and others raced for sport. Many, from Mark Colliss, who ran the race while pushing his daughter, Amanda, who has cerebral palsy, to Mississaugan Earl Fee, who is well into his 80s and still running marathons, displayed outstanding efforts.

Although we’ve all travelled numerous 42-kilometre routes in our lifetimes, it takes a certain commitment and drive to do it on foot. Yes, I know this from personal experience. I bring up the point in recognition of all those who committed themselves to completing the challenge on Sunday morning in the beautiful city of Mississauga.

## BY-ELECTION IN HAMILTON EAST

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to rise to discuss the realities of the by-election of last Thursday, May 13, in Hamilton East. On behalf of the PC caucus, I'd like to congratulate the new member for Hamilton East, Ms Horwath, who has joined us here today. We look forward to her joining us on the opposition side of the House and to finally bumping the rump back to the corner, where they belong.

I've got to tell you, what a gargantuan setback for Dalton McGuinty and his Liberals, falling from some 52% to 26%. It's so rare that you can use the word "gargantuan." I've got to take advantage of this gargantuan loss—a devastating verdict on the weak leadership and broken promises of Premier McGuinty. But I know it was not the member for Sudbury who came up with this election plan, I know it was not the member for Brant who came up with this election plan to call the date before the budget, to appoint a candidate, to fix a nomination, to run such a weak campaign. Clearly it was Dalton McGuinty and his backroom advisers like Matt Maychak or Don Guy or Sheila James. It's got to be one of them. It can't be their Liberal caucus. Was it Warren Kinsella, Gerald Butts? I know it wasn't Lopinski. Lopinski is a good Port Colborne guy. He'd listen to caucus. Evidently the backroom advisers have taken over the Liberal caucus big time. Tell them to get lost and start taking control of the Liberal caucus.

## CYSTIC FIBROSIS MONTH

**Mr John Wilkinson (Perth-Middlesex):** May 1 marked the beginning of Cystic Fibrosis Awareness Month. Cystic fibrosis is the leading genetic cause of death in Canadian children, and Canadians have been at the forefront of the fight to cure CF for over 40 years. The Canadian Cystic Fibrosis Foundation is the world's second-largest non-governmental granting agency in the field of CF research. They have developed a strong core research program to search for a cure or control. In 1989, a team of Ontario researchers at the Hospital for Sick Children identified the gene responsible for CF. This historic discovery furthered global understanding of the disease and brought us closer to finding a cure.

Just last month, researchers at Yale University and at the Hospital for Sick Children announced another breakthrough: turmeric. A spice that most, if not all, of us have in our kitchens has been used to correct characteristic CF defects in a mouse model of the disease. After receiving the treatment, mice with the genetic defect that causes CF survived at a rate almost equal to mice without the defective gene. With these developments in research and treatment, young Canadians with CF are living longer, healthier lives.

As an honoured recipient of both CF's national award and the Queen's Golden Jubilee medal, it's my pleasure to introduce to the House and to all members, from the Canadian Cystic Fibrosis Foundation, Cathleen Morrison,

Doug Summerhayes, Kelly Gorman and Josée Chiarot. Also joining us today—and I ask all members to welcome them—are the Orr family from Stratford: Adele, who is seven, Celia, who is three, and their mom and dad, Josee and Dan. Welcome to the Legislature.

## CONFLICT OF INTEREST

**Mr John R. Baird (Nepean-Carleton):** Today I rise to talk about ethics and integrity in government. The most important promise that Dalton McGuinty made in the last election campaign was to run an open and honest administration.

There's another story. Last December, the Minister of Finance was informed of an investigation into a company that he directed for 10 years, including time as chair of the audit committee. The investigation was being conducted by an agency of his own ministry. What did he do? Did he pick up the phone and tell the Premier? No. Did he consult with the Integrity Commissioner? No. Did he consult legal counsel? No. He kept quiet for 66 days while his own agency was investigating their boss. Only when he got caught did he go public.

But it's not just the Ontario Securities Commission conducting an investigation. The Royal Canadian Mounted Police is conducting a criminal probe. Revenue Canada is conducting a tax fraud investigation. Virtually every commentator in the book, including Ian Urquhart in the Toronto Star just this weekend, said that had any other minister done this, they would have been out, as they properly should have, but not for the Premier's best friend, Greg Sorbara. Now the Integrity Commissioner will be able to consider both sides of the story with a formal complaint going forward.

## VISITORS

**The Speaker (Hon Alvin Curling):** I would like to draw your attention to the Speaker's gallery. We have with us today a parliamentary delegation from Japan, from the National Association of Chairpersons of the Prefectural Assemblies. Please join me in warmly welcoming our guests.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

**Mrs Linda Jeffrey (Brampton Centre):** I beg leave to present a report from the standing committee on the Legislative Assembly, pursuant to standing order 109(b).

**The Speaker (Hon Alvin Curling):** Mrs Jeffrey has presented a report from the standing committee on the Legislative Assembly. Pursuant to standing order 109(b), the report is deemed to be adopted by the House.

### WEARING OF PINS

**Mr John Wilkinson (Perth-Middlesex):** On a point of order, Mr Speaker: Given that this is Cystic Fibrosis Month, I would ask for unanimous consent that members be allowed to wear the cystic fibrosis pin.

**The Speaker (Hon Alvin Curling):** The member for Perth-Middlesex has asked for unanimous consent. Is it agreed? Agreed.

1350

### STATEMENTS BY THE MINISTRY AND RESPONSES

#### TRANSPORTATION INFRASTRUCTURE

**Hon David Caplan (Minister of Public Infrastructure Renewal):** I rise in the Legislature today to inform all honourable members and the people of Ontario about important new capital investments in transit infrastructure in the city of Ottawa and the region of Waterloo, which will serve future generations. These investments will improve air quality and stimulate economic growth so that people can find jobs close to where they live.

Overall, these investments will improve the quality of life for millions of Ontarians. The investments are yet another example of the way the McGuinty government is delivering real, positive change to the people of Ontario. All of this is possible because we now have a new era of co-operation with other levels of government. Small-minded partisan bickering in the past has been replaced by a new era of co-operation among all levels of government, which puts the needs of our constituents first and foremost by improving and expanding critical public services.

On Friday, I was pleased to be in Ottawa, along with the Premier and my colleagues from this House, with representatives of the federal and municipal governments to announce long-term support for Ottawa's public transit system. The very next day, I was again joined by provincial colleagues and by federal and municipal government representatives to announce support for another important transit project in Kitchener-Waterloo.

I want to acknowledge my colleague the Minister of Transportation, the Honourable Harinder Takhar, for his leadership and his contribution in making these announcements with the federal government a reality. I am pleased to report that the funding from the provincial and federal governments, along with the contributions from Ottawa's municipal government, will provide up to \$600 million in support of light rail expansion from downtown Ottawa to Barrhaven. This represents the largest intergovernmental infrastructure investment in the city of Ottawa's history.

We've also announced, together with our federal and regional Waterloo partners, further studies toward a proposed 14-kilometre light rail transit project that will ensure that Waterloo region will be served by a modern,

efficient public transit system that supports the region's growth management strategy. These investments, along with others, recognize that if we do not provide adequate transportation and transit facilities in this province, we will choke on our own growth. We will strangle the economy that allows us to maintain strong, safe communities and ensure our continued prosperity.

These investments in transit that we have announced over the past few weeks with our federal and municipal funding partners total almost \$2.5 billion. These investments will help meet the challenges of this unprecedented growth in several regions across this great province of ours. They will help to get more people out of their cars and on to trains and buses, and that means less traffic congestion, cleaner air and easier movement of goods and people in Ontario.

These investments are part of our larger policies to create an effective and efficient transit and transportation system for Ontario. They complement the commitments we've made previously to substantial investments in the Toronto Transit Commission, GO Transit, York region transit, the Ontario border crossings and our plan to create a Greater Toronto Transportation Authority. These investments will help us to improve transit and road services in regions that are growing more rapidly than any other urban area in Canada. They will help deliver real, positive change that is our government's most important commitment.

The McGuinty government is prepared to meet the challenge posed by expansion and growth in Ontario. We were chosen by the people of Ontario to improve the way government works, to change this province for the better. By investing in a better transit and transportation system in Ontario and by securing similar investments from partners at the federal and municipal levels, we are delivering the real, positive change our people need, demand and deserve—change that is going to make Ontario strong, healthy and prosperous once again.

**The Speaker (Hon Alvin Curling):** Responses?

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to respond to my colleague the Minister for Public Infrastructure Renewal's statement. The member from Lanark-Carleton will have some comments as well about the Ottawa project in particular.

I'm pleased to have him making the announcement here in the Legislature today. I know Friday was the day he did the announcement; otherwise, he would have done it first in the Legislature. I think that's the style of this particular minister, but has not always been the case with the announcements to date.

I know the minister has been consulting as well on infrastructure renewal, which I think is important. We look forward to the outcomes of that consultation.

But what I'd suggest as one of the first investments to make is some way of breaking the gridlock we've seen so far in the Dalton McGuinty government. We've seen the weak leadership resulting in the by-election loss this past Thursday by gargantuan sums. We need these investments in public infrastructure. We'd like to see more

public investments in our infrastructure throughout Ontario, and I know the minister is working very hard to get them through the system.

Aside from today, what we have seen to date have been basically reannouncements of projects announced by my colleague the member for Oak Ridges when he was Minister of Transportation, like the border infrastructure funds, GO Transit and P3 hospitals.

We all know the P3 hospitals in Brampton and Ottawa are an example of a broken Dalton McGuinty promise, basically the same package we put together, just with a red ribbon on top of it instead of a blue ribbon. I guess it's a campaign promise. I hate to encourage that sort of behaviour, but I'm pleased that they did flip-flop on that. We all know P3s—private sector partnerships with the public sector—are essential to our infrastructure renewal.

While I think we need to attract private sector dollars, I do worry about some of the decisions to date of this government in its legislation and public policy decisions, which will probably put a premium on the returns to the private sector. Witness their strange handling of the Oak Ridges moraine situation and their flip-flop in that policy area; the war they're having with the 407; the retroactive legislation surrounding the Adams mine; the rebirth of the politicization—the NIMBYism—that will take place through Bill 26 and Bill 27. These set a worrisome trend that is going to discourage private sector partnerships. I hope the government recognizes that and does more to encourage these partnerships besides beating up the private sector, as they have tended to do since the campaign.

We welcome the transit. There's concentration in big cities. We cannot lose sight, though, of mid-sized communities and rural Ontario—similar transportation needs. We've got to invest in that blacktop as well. I stand proudly by our record of the largest investments in our highways in Ontario, including four-laning, not tolling, Highways 69 and 11. I look forward to the blacktop announcements from this government, including rapid movement on the mid-peninsula corridor.

I'm pleased to allow time for my colleague from Lanark-Carleton.

**1400**

**Mr Norman W. Sterling (Lanark-Carleton):** Finally, the provincial Liberals came to town, but what did they come to town to support? As one noted Liberal MPP across the floor called it, they're going to support the kooky choo-choo. Another Liberal councillor, Gord Hunter, who ran for the Liberals, said it just proves they are idiots.

This particular project is really questionable in terms of the outcomes it will have for our rapid transit system. We have an excellent bus rapid transit system. The mayor of that town, Bob Chiarelli, insists on putting money into a train. Well, the technical studies for this particular project showed there would be no net increase in passenger traffic as a result of putting an O-Train on this particular track. So what do we have? We have an investment by this provincial government into something

that isn't going to carry any more people from Barrhaven to downtown Ottawa. But I must say that at least they showed up in town.

We invested \$300 million in public transit from 1995 to 2003. We don't know when we're going to expect the \$200 million from the province of Ontario. I certainly hope they can keep up to the pace that we set during our period of government.

**Mr Michael Prue (Beaches-East York):** It is always a pleasure to rise and to talk about these very issues. But I have been here in this House for almost three years now, and what we are hearing again and again are reannouncements of similar policies, reannouncements by this minister and other ministers of policies that have been said before.

What we must contend is new and what we admit is new is that the federal government is finally on board. Were it not for the election being called this week, I am not sure they would be at the table, quite frankly. Just like the Liberals across the House here were able to come up with \$650 million leading up to the by-election in Hamilton, the Liberals in Ottawa are able to come up with all of this money just prior to the federal election country-wide.

What is being said here is not a bad thing. I don't want to be quoted in your next campaign literature, but light rapid transit is a good thing, and if you can put that in in Ottawa and Waterloo—I will tell you that it is hugely successful in Toronto. The light rapid transit that goes from Kennedy station out to McCowan and beyond that to the Scarborough Town Centre is used every single day. It carries thousands and thousands of people. It is a template for what can be used elsewhere. I certainly have traveled on similar systems elsewhere in the world, like the great one in Sydney, Australia, that takes you on a tour of that great city if you're a tourist.

I want to tell you, though, that we are very nervous here in the New Democratic Party about where this money is coming from. Although we know that the federal government has oceans of money and is starting to spend it and we know that this government is trying to spend as much as they can—I don't know where you're getting it from, but we'll find out tomorrow—we don't know where the municipalities are going to find the monies to pay their share. These are enormous amounts of money for municipalities that basically have one source of revenue, and that is to tax the homes and the businesses and the properties in their respective municipalities. We are very nervous about that.

We also have to tell you that we are not pleased if this is going to end up being a privatized scheme like York region's is. We do not believe a public transportation scheme should be privatized so that people can make a profit and, in making that profit, cost a lot more money for the people, particularly the poor, the students and the old, who use that system more often than those who have monied means.

We want to tell you as well that we think the whole story will come down in the budget tomorrow. It will be

telling whether or not the monies are contained in the budget for the announcements that are being made today. We have to know that, because if the money isn't there tomorrow, the statement being made here today is really quite meaningless.

We also have to talk about the entire problem of gridlock. Gridlock is affecting our cities hugely. We welcome that the money is being spent on public transportation; that's where it should be spent.

I remember sitting on a television program during the election with then-Minister Klees, the transportation minister, who was talking on an open telephone interview with the people of Toronto. He thought the greatest thing that had ever gone wrong in the city was that we had not built the Spadina Expressway. Quite frankly, I'm glad you are not talking about spending money on the Spadina Expressway.

We need to stop the smog and pollution, but we need to know as well where Liberals stand on toll roads. Are you going to increase toll roads for those people who will continue to drive into the cities of Ottawa and Waterloo? There are a great many people who choose to commute.

We need to know from the Liberals tomorrow whether or not you're going to honour your commitment of two cents a litre on the gasoline tax. If you're not willing to do that for the cities, I'm not sure where they are going to come up with their portion of the money. Even if that's where they're going to get their portion of the money, they need that money for simple maintenance and in order that buses keep running.

I just want to ask one last thing in the few seconds left to me. There is nothing in your announcement for First Nations in this province; there's absolutely nothing. I don't know where they fit in all these transportation schemes, but some of them want to run bus companies and some want to get involved in the infrastructure and in roads, and they have not been included to date. I am hoping, when this finally sees the light of day, the First Nations communities will be included. They were not included in electricity, and they have to go to general welfare to get the money. I want to make sure, Minister, that you will include them in future announcements. First Nations people have a right.

## DEFERRED VOTES

### HEALTH INFORMATION PROTECTION ACT, 2004

### LOI DE 2004 SUR LA PROTECTION DES RENSEIGNEMENTS SUR LA SANTÉ

Deferred vote on the motion for third reading of Bill 31, An Act to enact and amend various Acts with respect to the protection of health information / Projet de loi 31, Loi édictant et modifiant diverses lois en ce qui a trait à la protection des renseignements sur la santé.

**The Speaker (Hon Alvin Curling):** Call in the members. There will be a five-minute bell.

*The division bells rang from 1407 to 1412.*

**The Speaker:** All those in favour, please rise one at a time and be recognized by the Clerk.

### Ayes

Arnott, Ted	Fonseca, Peter	Orazietti, David
Arthurs, Wayne	Gerritsen, John	Patten, Richard
Baird, John R.	Hardeman, Ernie	Peters, Steve
Barrett, Toby	Hoy, Pat	Phillips, Gerry
Bartolucci, Rick	Hudak, Tim	Prue, Michael
Bentley, Christopher	Jeffrey, Linda	Qaadri, Shafiq
Berardineti, Lorenzo	Kular, Kuldip	Ramal, Khalil
Bountrogianni, Marie	Kwinter, Monte	Rinaldi, Lou
Bradley, James J.	Lalonde, Jean-Marc	Runciman, Robert W.
Brotin, Laurel C.	Leal, Jeff	Sandals, Liz
Brown, Michael A.	Levac, Dave	Scott, Laurie
Caplan, David	Marchese, Rosario	Smith, Monique
Chambers, Mary Anne V.	Marsales, Judy	Smitherman, George
Churley, Marilyn	Martel, Shelley	Sterling, Norman W.
Colle, Mike	Martinuk, Gerry	Takhar, Harinder S.
Crozier, Bruce	Matthews, Deborah	Tascona, Joseph N.
Delaney, Bob	McMeekin, Ted	Van Bommel, Maria
Dhillon, Vic	McNeely, Phil	Watson, Jim
Di Cocco, Caroline	Meilleur, Madeleine	Wilkinson, John
Dombrowsky, Leona	Miller, Norm	Witmer, Elizabeth
Duguid, Brad	Milloy, John	Wong, Tony C.
Dunlop, Garfield	Mitchell, Carol	Wynne, Kathleen O.
Eves, Ernie	Mossop, Jennifer F.	Yakabuski, John
Flynn, Kevin Daniel	O'Toole, John	Zimmer, David

**The Speaker:** All opposed, please rise.

**Ms Shelley Martel (Nickel Belt):** On a point of order, Speaker: I was standing up but it's not clear to me whether or not the Clerk did see and I was counted. I was standing in favour of this bill, just to make that clear.

**The Speaker:** So you're voting in favour? OK.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 72; the nays are 0.

**The Speaker:** The ayes are 72; the nays are 0.

Be it resolved that the bill do now pass and be entitled as in the motion.

### CHRIS GARRETT

**Hon David Caplan (Minister of Public Infrastructure Renewal):** On a point of order, Mr Speaker: I believe we have unanimous consent that each party speak for up to five minutes in respect to Constable Chris Garrett, who was killed in the line of duty, and that this be followed by a moment of silence.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent for each party to respond for five minutes? Agreed.

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** Mr Speaker, I rise in the House today with a heavy heart. Today we mourn the death of a fine and respected police officer and a devoted husband and father.

Constable Chris Garrett was an 18-year veteran of policing, having spent five years with Peel Regional Police and then 13 years with the Cobourg police. Cobourg Police Chief Garry Clement described Constable Garrett as "the most dedicated, loyal police officer I've

worked with in 31 years." Constable Garrett died in the line of duty in the early morning hours of last Saturday, investigating what he thought was a routine call. Unfortunately, it turned out to be much more than that and resulted in Constable Garrett's death. Chief Clement called it a "devastating blow" to Constable Garrett's family, his police family and the entire town, and I would add the entire province of Ontario.

Mr Speaker, early Saturday morning I was able to personally express my heartfelt condolences and those of the Premier and the entire Legislature to Constable Garrett's widow, Denise, children Ben and Britany, and his parents, Gordon and Evelyn Garrett. Constable Garrett was greatly loved by his family and by his fellow officers.

Every police officer knows and accepts the risks involved with his or her job. They put their lives on the line every time they report for duty. They are constantly facing new, difficult and sometimes dangerous challenges, often attending a crime scene not knowing what to expect. Constable Garrett was a role model for young officers in the Cobourg Police Service. He served as a mentor and was respected by his fellow officers and the community. Constable Garrett was proud to be a police officer, and the town of Cobourg—indeed the entire province—was proud of him.

Just two weeks ago, the Premier and I attended the annual Ontario Police Memorial Foundation wall of honour ceremony here at Queen's Park. At that time, we added the names of two Ontario Provincial Police officers to that wall. They, like too many others before them, had died in the line of duty last year. At next year's wall of honour ceremony, we will sadly add Constable Garrett's name. In this way, we will never forget those who have given their lives to make our communities safer.

Mr Speaker, I ask for unanimous consent today for all members of the Legislature to wear the Ontario Police Memorial pin. The pin replicates the Ontario Police Memorial's wall of honour. The badge represents the police officer's authority. Family members of honour roll officers have a white trillium on their pin. The pin is to be worn from the day of a fallen officer's death until sundown on the day of his funeral. I ask that all members show their support for the more than 20,000 dedicated police officers in Ontario by wearing this pin until Thursday evening after Constable Garrett's funeral.

Again, Mr Speaker, I would like to express the province's deepest condolences to the Garrett family, the members of the Cobourg Police Service and the residents of Cobourg. Our thoughts are with them. As the words on the police memorial say, police officers are "Heroes in Life, not Death."

**1420**

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to respond. At this time of the year, and on beautiful spring days like today, we are reminded of the very nice things that our society has, like the trilliums blooming in our forests, the leaves sprouting on shrubs and trees, farm animals giving birth to their young.

Also each spring, on the first Sunday of May, at 11 o'clock in the morning, we also pay tribute here at Queen's Park at the police memorial to the men and women of Ontario's police services who have paid the ultimate sacrifice in the line of duty. Many of the members present today were here just two weeks ago to pay tribute to those who have served our great province. Sadly, next year we will add another name to that wall.

Constable Chris Garrett, proud husband and father of two, was violently, insensibly murdered on Saturday morning. Chris, a 13-year veteran of the Cobourg police service, was responding to a 911 call. At 3 am, when most people in communities across the province like Cobourg are asleep, men and women like Chris patrol our communities. They patrol them so we can live in a safe and secure environment.

I can't help but recall an incident that happened in the winter of 1981. A service station attendant was murdered in a robbery in northern Ontario on Saturday evening. Later that evening, the murderers were pulled over by Huntsville OPP Constable Richard Verdecchia. He was violently shot to death. By early Sunday morning, Constable Neil Hurtubise of the Orillia OPP had come into contact with the murderous villains. He too was shot and left to die on the side of the highway. The Orillia area was in shock. Constable Hurtubise was respected by everyone, especially the young people, including myself, because at one time or another he had lectured us about our driving or our behaving skills.

When we learned of the serious injuries, we all had a sick feeling. A cop, a friend, was fighting for his life. Constable Hurtubise miraculously managed to survive. However, his colleague Constable Richard Verdecchia lost his life, and his name today is on the wall of honour outside.

Like Neil Hurtubise and Richard Verdecchia, Chris Garrett was only doing his job on Friday night when he left his family for work. Who knows what the family had planned to do over the weekend? Possibly gardening, watching sports such as NHL or NBA playoffs, going to the driving range, or maybe just taking time to relax.

The town of Cobourg is a proud and beautiful community. People know their police service. Members of the police service volunteer on community organizations, act as baseball, soccer and hockey coaches, and are members of the local church congregations.

The police community of Ontario has lost a hero. Police services across North America feel the loss.

As Ontarians, we are thankful that day in and day out, 24 hours a day, 365 days a year, we can and do live in a safe, secure society. We thank our police services for allowing us to do so. We thank people like Constable Chris Garrett. In a 911 response for his community, he has paid the supreme sacrifice. On behalf of our caucus, we want to extend our condolences to Chris's wife, Denise, and their children, Britany and Ben. Our thoughts and prayers are with them.

Constable Chris Garrett's death is a loss for us all. We remind ourselves, with Chris's death, of the inscription

on the Ontario police memorial: "Heroes in Life, not Death."

**Mr Howard Hampton (Kenora-Rainy River):** On behalf of New Democrats, I too want to recognize the contribution and the sacrifice of Chris Garrett.

Today, the community of Cobourg and the entire province mourn the passing of Constable Garrett. His death reminds us all of the incredible risk police officers take every day and the debt we all owe to them.

Constable Garrett is remembered as an extraordinarily vigilant police officer, someone whom fellow officers described as a cop's cop. A 13-year veteran of the Cobourg Police Service, Constable Garrett was the sort of officer who could be counted on to train new recruits because he was the consummate professional.

Constable Garrett was also a son, a father and a husband, and our condolences go to his wife, Denise, his stepdaughter, Britany, his son, Ben, parents-in-law Bill and Anita Nichols and parents Gord and Eve.

Every time police officers and other emergency workers go to work, they take an incredible risk, and there is no way we can repay the debt we owe to an officer who is killed on the job. We will, however, note the legacy he will leave. It is a legacy of service to his community, service to the province, service to his colleagues, to his fellow officers and to his family.

Once again, we extend our condolences to his son, his stepdaughter, his wife, his family, his friends, his neighbours and his fellow police officers. We can never repay the debt. We can never make up for what has happened. But we must acknowledge this incredible record of service.

**The Speaker:** Would all members and guests please rise to observe a moment of silence in honour of Police Constable Chris Garrett.

*The House observed a moment's silence.*

**The Speaker:** Mr Kwinter has asked for consent for all members to wear the police memorial pin. Is there consent? Agreed.

## ORAL QUESTIONS

### ONTARIO BUDGET

**Mr Jim Flaherty (Whitby-Ajax):** My question is to the acting Premier. During the election campaign your party and your leader promised that you would not raise taxes and promised that you would hold the line on taxes. Then you were elected and one of the first acts was to implement the single greatest tax hike in the history of the province of Ontario: \$4.3 billion. The people of Ontario know that you did not waste much time breaking those promises not to increase taxes and to hold the line on taxes in this province. But there was another fundamental promise, and that was to balance the budget during the first year in office. Now, we know that the Liberals opposite anticipated a deficit; the Chair of Man-

agement Board was in Hansard talking about that. We know also that once they were elected, they went on a spending spree of in excess of \$3 billion.

I ask the government, represented by the acting Premier now, when you made the promise, will you admit that you never intended to keep it, and by your conduct—the spending spree post-election—you've made it impossible to balance the budget in Ontario?

**Hon George Smitherman (Minister of Health and Long-Term Care):** If there's one thing in this Parliament that's made it impossible to deal in the manner that the honourable member asked, it's the work of his party while in government to seriously cause challenge in the budgets of this province, to be so out of proportion that the member has a lot of gall to stand and ask a question like he just did. By the numbers: \$5.6 billion in-year deficit; \$2.2 billion in further pressures in places like Ontario hospitals, and an enormously big deficit associated with infrastructure, both social and capital. That member stands there and asks a question like that. He should be ashamed after what his party did in their budget little more than one year ago.

Tomorrow in this place at 4 o'clock the people of the province of Ontario will see a government moving forward to restore confidence in essential public services like health care and education and the communities across our province. We're a party that is proud of what we're bringing forward and I urge the honourable member to be here tomorrow.

**Mr Flaherty:** It's clear that the Liberal government doesn't take promises seriously. Let's see if they take voting seriously.

Some years ago, our government introduced the taxpayer protection bill in this House. Acting on behalf of our constituents, we voted for it. A large number of Liberals in this House—in fact, as I recall, every Liberal in this House—voted for the provisions of the Taxpayer Protection Act, which require, as you know, that the express consent of the people of Ontario be obtained for a tax hike.

My question to the acting Premier is whether his Liberal colleagues who voted for the Taxpayer Protection Act intend to change their vote on behalf of their constituents.

1430

**Hon Mr Smitherman:** My friend from Whitby-Ajax is clearly suffering from a little amnesia here. What are we going to do about his party that, while in government, didn't bring a referendum, even though they changed that law, because they were raising taxes? Are you going to have a retroactive referendum now? No, you're not. What about the party that, while in government, pretended to have the books in balance? What about the provisions of the same law the member speaks of, which would see funds paid to cabinet ministers docked if they didn't balance the budget? Will those members who now occupy the front bench pay that money back? Will they? No, they won't.

In this place tomorrow at 4 o'clock, you will see a government move forward to re-establish quality health

care in this province with meaningful primary health care that gives people doctors in the communities in which they live, with shorter waiting times, with more nurses, with public health that restores confidence in the services it provides, with immunization. There hasn't been enough care in our long-term-care facilities. These are the priorities Ontarians want and voted for, and that's what they're going to get tomorrow.

**Mr Flaherty:** Now we have confirmation of the broken promises with respect to taxes and a balanced budget. We have confirmation that the Liberals don't care about how they vote in this place with respect to their own constituents.

Now we have the pledge, that is, the taxpayer protection promise, to "Not raise taxes, or implement any new taxes without the explicit consent of Ontario voters—and not run deficits," signed by Mr McGuinty on September 11, 2003. Would the acting Premier please assure the people of Ontario, on behalf of the Liberal government, that they will not dishonour the Premier's word to the people of Ontario?

**Hon Mr Smitherman:** Tomorrow's budget will be about fulfilling our commitment to the people of the province of Ontario. We were the party sent here to bring in positive change. Tomorrow we build on the work we've begun to restore confidence in our essential public services, like health care and education.

Where for eight years they ran roughshod over these programs, tomorrow we begin to restore the confidence that Ontarians have, with more care in our long-term-care facilities, with home care that works for people to keep them independent in their home and to help them if they've been in the hospital, and by dealing with primary health care in a way that provides interdisciplinary teams of medical professionals working together to make sure people get the care when they require it, where they require it.

We believe that the best-quality health care is the care found closest to home. Tomorrow at 4 o'clock, I urge the honourable member to be here and he will see a party moving forward to do what Ontarians want, which is to restore quality public services in this province, that for over eight years—

**The Speaker (Hon Alvin Curling):** Thank you.

## TAXATION

**Mr John R. Baird (Nepean-Carleton):** My question is to the man who is supposed to keep his eye on the public purse, the Chair of Management Board. The Taxpayer Protection Act is a law that you voted for. It's a law that every Liberal MPP voted for. On September 11, you stood over the shoulder of the Premier, of the leader of your party, the Premier of Ontario, and applauded his recommittal to it. You're also the man who in June said there was a \$5-billion risk to the finances of Ontario.

I have a copy of a lawyer's letter, dated September 24, that was submitted to John Hollins, the chief election officer, which says, "Dalton McGuinty's commitment" is

"to hold the line on taxes." It goes on to say, "No individual or small business will pay any more in tax." Will you stand in your place and say that you won't break the law, that you will obey the law in the province of Ontario?

**Hon Gerry Phillips (Chair of the Management Board of Cabinet):** Again I say to the people of Ontario who watch this: Recognize what's happened. The previous government left the province of Ontario with a deficit of \$5.6 billion. They also put on the books of hospitals, children's aid societies and colleges billions of dollars of debt—operating debt; this wasn't for capital. So what did we inherit on October 2? A fiscal mess of the first order from a government that simply did not manage the finances well.

I will say to the people of Ontario, tomorrow at 4 o'clock, the Minister of Finance will get up and deliver a budget that will begin to permanently restore the quality of our public services, get Ontario on a sound long-term fiscal basis and begin to repair the enormous damage that was done by eight years of a Conservative government that did not manage the finances and left our public service in a shambles.

**Mr Baird:** This is question period. I asked you whether you were going to obey the law or whether you were going to break the law, and I didn't get an answer.

Your front bench in the Liberal Party under Dalton McGuinty is becoming a breeding ground for cynicism against politicians. A day after your lawyer's letter in which you promised not a single penny more of taxes for working families and small businesses in Ontario, you put out a press release, dated September 25. You put out this press release because Conservatives were saying the Liberals really had a secret plan to raise taxes. Your press release said, "We will keep personal income tax rates and the Ernie Eves Fair Share health levy exactly where they are today." Earlier that week, Dalton McGuinty promised in the leadership debate that "Ontario families will not pay one single cent more in income tax." Do you stand by those promises? Can we go to the bank on your word?

**Hon Mr Phillips:** What we will stand by is that we are committed to restoring the quality of our health care system, the quality of our education system, and we are committed to supporting our hard-pressed communities. And we are going to do that. We will deliver what we said we would deliver.

What people find cynical is a government, the Conservative government, that said the books were balanced, a government that said there was a balanced budget in Ontario, which simply was not true—saying that hours before the election.

What we will do tomorrow is begin to restore the quality of our health care system and the quality of the education system and get Ontario on to a solid, sensible, sustainable long-term fiscal basis, unlike what we inherited from the Conservative government.

**Mr Baird:** This is the same member who, in the finance committee, warned of a \$5-billion risk to the finances of the province of Ontario. In opposition he

knew about it, but somehow between June and October 2 he forgot.

I have two things in my hand. One is a statement from the 1989 budget, which reads, "Therefore, it is a pleasure for me"—Robert Nixon—"to announce to the House that OHIP premiums will be eliminated as of January 1, 1990." I have the Sault Star from May 18, 1989, which reads, "David Ramsay, Ontario's Minister of Correctional Services, feels the high point of Wednesday's budget was the elimination of health care premiums."

Acting Premier, if you're proud of your budget, if you have nothing to hide, will you live up to your promise? Will you live up to the law of Ontario and allow the people to vote by referendum on your big tax grab? Will you do that?

**Hon Mr Phillips:** I am very proud of the budget that will be presented tomorrow. What the people of Ontario elected us to do—Mr Baird may not like to hear this, but the reason you were defeated was because you decimated the quality of our health care system, the quality of our education system, and you left Ontario in a fiscal mess.

We are going to fix that. We are going to fix that beginning tomorrow in our first budget, get Ontario on a long-term, sustainable fiscal basis, fix our health care system, fix our education system and begin the repair of the damage you did for eight years. I find it really unusual that you would get up today and proudly defend your record of decimating our public services and leaving Ontario with a fiscal mess. I'm very proud we will begin to correct that tomorrow.

1440

## HEALTH CARE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the acting Premier. Ontarians are shocked at the news that the Liberal government will force us to pay for essential health services by re-imposing health insurance premiums in Ontario. Even more shocking is the news that when the Conservatives proposed the re-imposition of OHIP premiums in 2002, you said it was a bad idea: "Ontario Liberals oppose the return of OHIP premiums because they are a tax hike on working families," says leader Dalton McGuinty."

Acting Premier, can you tell us how, only seven months after an election when Liberals said, "Choose change," the people of Ontario are once again getting Conservative policies from the Liberal government?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I'm not going to be involved in the speculation the honourable member is involved in, and that's the position I've taken since last week, but here's what I can tell him. I'm very excited about tomorrow's budget, in particular as it relates to my role as Minister of Health. What Ontarians elected us to do was improve the quality of public services in Ontario. Our budget and our government's work with respect to health care and education will lie in very sharp contrast to the early moves that party made while in government, which was that they slashed services to support their tax habits.

Tomorrow will be a day when Ontarians get the message very clearly that this is a government that's going to deliver on its commitment to enhance the quality of essential public services by restoring confidence in long-term care, by giving more resources to home care and other services. That's what tomorrow is about, and I encourage the honourable member to be here.

**Mr Hampton:** If I'm wrong in saying you're going to reimpose OHIP premiums, then just stand up and say it isn't so. Stand up and say you're going to follow the policy tomorrow that you enunciated before the election.

Do you know what else Dalton McGuinty said? "Tory leadership candidates Ernie Eves and Chris Stockwell may want to raise taxes by charging families an additional \$1,000 a year for health care. I do not," McGuinty said today."

What we've been treated to is that Dalton McGuinty says one thing before the election—he said he was going to do away with private hospitals; we still have those P3 hospitals. He said he was going to do away with private CAT scan and MRI clinics; we still have those.

**The Speaker (Hon Alvin Curling):** Question.

**Mr Hampton:** Now what do we have? The very regressive policy you were opposed to. You said it was a tax hike on working people, and you're now in favour. Can you tell us when this Conservative policy became so attractive to you: the day after the election?

**Hon Mr Smitherman:** What I'm pleased to be able to confirm is that tomorrow at 4 o'clock in this place we're going to deliver on the commitments we made to the people of Ontario. We asked them to vote for change in favour of restoring confidence. With respect to health care, as an example, we're going to give kids the immunization they need, we're going to deliver more care in our long-term-care facilities, we're going to improve our capacity to deliver home care. These are services the people of Ontario told us they wanted to see improvement on.

Therefore, along with our commitments to enhance the quality of public education and give a little more life back to our communities, these are the commitments this party will deliver on in government. Those are the things we asked Ontarians to support us for, and that's the promise we'll fulfill tomorrow.

**The Speaker:** New question.

**Mr Hampton:** To the acting Premier again—it was a very simple question—if you're not going to reimpose the Conservative idea of OHIP premiums on the working families of Ontario, just say it isn't so.

Let me give you another quote from Dalton McGuinty: "Families are already paying for health care with their taxes. Pay more for health care, pay twice for health care, but get less health care—that's the Tory plan. It's certainly not the Liberal plan."

But here we have Dalton McGuinty Liberals once again implementing the same Conservative program they used to be so critical of. I ask you again, what happened to the "Choose change" that was promised? Why are we once again seeing Conservative policies implemented by the Liberal government?

**Hon Mr Smitherman:** I can confirm to the honourable member that tomorrow we are going to bring more access to quality health care in Ontario. We're going to deliver on the promise we made.

We committed to enhance the quality of essential public services in this province, and we're going to do that. We know Ontarians want to see progress on particular wait-time challenges in our health care system. Tomorrow the people of Ontario will see progress on that point. Tomorrow is about choosing change. Tomorrow is about positive change.

Health care, education and commitment to our community will all be there as key elements of our budget, and our priorities will be delivered upon. This lies in sharp contrast to that party while in government. In their first budget, what did they do? They diminished the quality of our essential public services. We know that is what Ontarians count on government for, and this is a government that Ontarians can count on. The evidence of that will be clear tomorrow.

**Mr Hampton:** This is exactly the response we got from the Conservatives. They said, by introducing private P3 hospitals, there would be better health care. They said, by introducing private CAT scan and MRI clinics, there would be better health care. They said, by bringing back OHIP premiums, there would be better health care. Now what do we have? The "Choose change" Liberals saying the same thing—exactly the same thing.

Don't you realize, Acting Premier, this takes us back to the bad old days when, in order to access the health care system, individuals paid \$350 in premiums, families paid over \$700, and if you didn't pay your premiums, you couldn't access health care? Don't you understand that this is a strike against universality? Tell me and tell the people of Ontario, how is it that everything the Conservatives stood for in health care that you said was bad, you're now adopting and you're trying to tell the people of Ontario it's good for them? Where is the change in that?

**Hon Mr Smitherman:** I always find it interesting when the caucus mate sitting beside the leader of that party, the one who squealed out of the Victoria Harbour meeting of his party where they had decided to capitulate on their sacred promise to the people of Ontario to bring in a system of public automobile insurance, stands and talks as if we don't know that the whole Agenda for People that was the premise of their election in 1990 was thrown away. We ran—

**Mr John R. Baird (Nepean-Carleton):** Don't answer the question, George.

**Hon Mr Smitherman:** Could you give the member for Nepean-Carleton another question, Bob?

We ran on a commitment to improve the quality of public health care in this province, and tomorrow you'll see ample evidence of the progress that we intend to make to give people primary health care in the communities where they need it by building family health teams. You talked about access in your question and access will be the answer tomorrow. We're going to address wait time challenges.

## BUDGET SECURITY

**Mr Jim Flaherty (Whitby-Ajax):** My question is for the acting Premier. Does the government believe in the principle of budget confidentiality and secrecy?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I think that the honourable member well knows that we're involved in a process whereby tomorrow at 4 o'clock in this place the Minister of Finance will stand in his place and present to the people of Ontario the critically important way forward for our province. We know there's lots of speculation about what will be in the budget tomorrow. What I can assure the honourable member is that Ontarians will find a plan, a way forward for public services like health care and education that are so essential, to deliver on the needs of the people of this province. That's what tomorrow is about.

**Mr Flaherty:** Acting Premier, it's apparent there's been a serious breach of secrecy and confidentiality with respect to the budget. The media are full of stories over the weekend and including today, quoting sources from the Liberal government about matters that are of relevance to the people of Ontario, including their financial planning. There's a reason for secrecy with respect to a budget, which we honour. The reason is that people will not take advantage of knowledge in advance. When you have government sources, including so-called senior government sources, referring to changes in the land transfer tax in advance of the budget and other economic measures to be taken in the budget, the Minister of Finance should resign and the OPP should conduct an investigation and report back about why we are having these breaches in budget secrecy, contrary to the traditions in this province.

**Hon Mr Smitherman:** It comes as no surprise to those of us on this side of the House that the member would get to that point. The only surprise is that it took him 22 and a half minutes. Why? The Tory strategy for the pre-emptive strike to take out of play a finance minister who, as a result of the fine work he'll bring forward in this House tomorrow, will become enormously more popular.

Tomorrow is not about all the speculation that's been fuelled in this place, not the dreamscape scenarios of the member from Oak Ridges or the wild fascinations of the members opposite. Tomorrow is about delivering on the commitments we made to the people of Ontario, to restore the essential quality of the public services we cherish, like health care and education. At 4 o'clock tomorrow, I know that the honourable member will feel so pleased to have attended to see the plan forward.

1450

## YOUTH CORRECTIONAL FACILITIES

**Mr Dave Levac (Brant):** My question is for the Minister of Children and Youth Services. An issue of concern regarding youth detention centres recently has been brought to my attention. It's my understanding that

rumours, concerns and fears are floating around the province suggesting that youth correctional facilities such as Sprucedale will be privatized. Now that your ministry has become responsible for overseeing youth, including youth corrections, could you please alleviate these rumours and concerns by assuring this House and the province today that publicly operated correctional facilities such as Sprucedale will not be privatized.

**Hon Marie Bountrogianni (Minister of Children and Youth Services, Minister of Citizenship and Immigration):** I'd like to thank the member for his question and reassure him and the youth justice sector that we will not be privatizing our youth correctional facilities. The dedicated men and women who work in these facilities help hold the young offenders accountable and put their lives back on track. I had the chance to see for myself at the Brookside facility this past winter and was incredibly impressed by both the correctional and educational programs offered in these facilities.

**Mr Levac:** I and a lot of people thank you for those assurances. Youth corrections is undergoing a radical overhaul by removing young offenders aged 13 to 15 from the Ministry of Community and Social Services and youth aged 16 to 17 from corrections. Perhaps the transition from these ministries into your own has raised questions that have led to some of these rumours and concerns. Minister, could you please update the House on how this simultaneous transition of phase one and phase two is developing and how this will enhance youth justice in Ontario.

**Hon Mrs Bountrogianni:** This will bring Ontario into line with all the other provinces, so youth phase one and phase two will go under one ministry. By integrating our system, we will hold young offenders more accountable to uniform standards and policies, better manage our tracking system, enhance public safety and capitalize on best practices.

#### POLICE SERVICES

**Mr Garfield Dunlop (Simcoe North):** My question is for the Minister of Community Safety and Correctional Services. I was really excited to hear that last answer, providing the best results in a youth facility in the province was Project Turnaround, and he has closed that down.

Minister, I'm sure you'll agree that police today are being asked to do more with less. Their resources are being stretched beyond core functions to increasing services like court security, prisoner transportation, monitoring sex offenders and fighting gang crime.

Tomorrow's budget is a chance for your government to show that you appreciate how police go beyond the call of duty, time and time again. It's a chance for your government to keep its election promise to provide funding to hire 1,000 new police officers. The last government elected in 1999 did keep their promise to hire 1,000 new police officers.

**The Speaker (Hon Alvin Curling):** Your question is?

**Mr Dunlop:** Tomorrow, police services, officers and organizations will be watching and hoping you won't let them down. I know you won't provide specifics on the budget, but surely you can answer this one question: Should police even bother to watch tomorrow's budget? Tell them right now, because if you don't intend to act on this promise—

**The Speaker:** Thank you.

**Hon Monte Kwinter (Minister of Community Safety and Correctional Services):** The member asked a question and provided his own answer. He said that he knew I would not tell him anything about the budget. You're just going to have to wait until tomorrow to see what the budget is. I'm sure that you and everyone else in Ontario will be quite pleased to see it. I stand by what we are going to deliver tomorrow.

**Mr Dunlop:** A new survey was just posted on the Police Association of Ontario's Web site. It was conducted between March 8 and March 14 of this year. As part of the survey, participants were asked to comment on the following statement: "Regardless of any deficit situation, one area that should not be cut back is funding for police services." An overwhelming 82% agreed with this statement.

Your leader never said anything about cutting back police services during the campaign, but he did promise to hire 1,000 new police officers. And, I repeat, the previous government, the Harris-Eves government, fulfilled their promise of hiring 1,000 police officers. Is Dalton McGuinty going to at least make a down payment on this promise in tomorrow's budget?

**Hon Mr Kwinter:** I don't know how I can state it to you more clearly. We have made a commitment that we will put 1,000 new police officers into the forces in Ontario. We will do that over the length of our mandate. There is no suggestion other than in his mind that there are going to be any cuts to front-line police officers, and you will find the answer when you see the budget tomorrow.

#### WATER QUALITY

**Mrs Carol Mitchell (Huron-Bruce):** My question is for the Minister of the Environment. I stand in this Legislature today with a very heavy heart as I remind all members and the people of Ontario that four years ago today we learned about a tragedy that cost the lives of seven innocent people in the town of Walkerton. Dozens of other Walkerton residents must now endure lifelong health disorders as a result of drinking water that they had little or no reason to believe would be contaminated. Sadly, it took news of these seven deaths and the illnesses suffered by dozens more before Ontarians realized that protecting water quality must be a priority.

Since the Walkerton tragedy, it has been difficult for people in many Ontario communities to continue to believe that whoever is running the local water treatment plant is capable of protecting their health. The Walkerton inquiry found that there is considerable room for improvement in terms of ensuring that operators of water

systems are fully knowledgeable and capable of carrying out the tasks required to provide safe drinking water to the people in the communities they serve. Minister, can you please tell the members in this Legislature and the people of Ontario what this government is doing to restore public faith in the operators of our water systems?

**Hon Leona Dombrowsky (Minister of the Environment):** I want to thank the honourable member for the very important reminder she has provided to the House this afternoon. I'm also very happy to report to the Legislature as well that today, as a matter of fact, I was able to make an announcement that demonstrates this government's commitment to implementing the Walkerton inquiry recommendations and to ensuring that water in Ontario is safe.

I have announced the toughest training and certification requirements in North America for water system operators. The changes we are bringing in will ensure that the water system operators will continue to improve their knowledge and skills. This applies to both small system operators and large system operators. They will be required, each year, to undergo in-service to ensure that they are on top of the latest in science and technology so the people in those communities can be sure that their water systems are operated safely.

**Mrs Mitchell:** Hearing that this government is implementing the toughest training requirements in North America for water system operators will hopefully boost the confidence that the people of Ontario have in the operators of their local water systems. But the Walkerton inquiry also highlighted that tenure has afforded some long-serving operators of drinking water systems the ability to avoid certification. I read in the newspaper earlier today that roughly one fifth of water system operators in Ontario may have enjoyed this privilege to date. Notwithstanding that experience is a valuable teacher, I am certain the people of Ontario will want to know what, if anything, is being done about this unsettling practice.

**Hon Mrs Dombrowsky:** I believe the honourable member is accurate. It is unsettling to understand that there may be people who have responsibility for operating our water systems who would not have undergone formal training. There are some folks—approximately 1,600, as a matter of fact—who are termed “grandparented.” As of today, I am happy to inform this Legislature that the regulations that we've changed will require the so-called grandparented operators to get re-certification through examination. There will be a period of 16 months when those people who have experience in the system but not certification will have to meet those new requirements, but indeed, after 16 months, all people who operate a water treatment system in Ontario will have been certified and must also undergo the annual in-service as well.

1500

## EDUCATION REFORM

**Mr Rosario Marchese (Trinity-Spadina):** I have a question for the Minister of Education. In December

2002, Dr Rozanski gave us a blueprint for fixing the state of education in this province. As a reminder, this is what he said: put in \$675 million in catch-up money, increase funds for ESL, add \$50 million so that small schools can get a principal, a secretary and maintenance staff, put in \$5 million to adjust for declining enrolment, and put in \$375 million to repair our crumbling schools.

The recommendations are clear, and as of October of last year, you supported them wholeheartedly. Minister, will we see a commitment from Father Tuesday to these specific programs and new investments in your budget?

**Hon Gerard Kennedy (Minister of Education):** Thank you to the honourable member for the question. Certainly the Rozanski report, in the dying days of the previous government, articulated well that there are long-standing deficiencies in the system in terms of basic funding going out to support student success in this province. They need to be rectified. We have a Premier who stood in this place a number of days ago and said that this is one of our highest priorities, which will be reflected in what comes forward in terms of both numbers and programs that will be spoken to in the budget. We appreciate the member opposite helping people anticipate what is long overdue: a remedy for our education system in this province.

**Mr Marchese:** What schools and students need, Minister—and I guess you know it, because you're defining it—is over \$1 billion in new funds and a long-term funding commitment. That's what they needed under the Conservatives and that's what they need under your government. That way, special education programs won't face extinction every September, classrooms will have educational assistants, and ESL programs will not be too full to be effective.

My question to you is this: When the province tunes in tomorrow, will they see the Rozanski plan implemented or will they hear more excuses for broken Liberal promises?

**Hon Mr Kennedy:** The member opposite has two choices on offer. I think we can satisfy him that the Rozanski plan has always been part of this government's outlook. We have some differences; for example, we think urban areas require more attention than Dr Rozanski was able to give. But I will note that the third party put forward its education plan before the Rozanski report, as did we. Ours matched the Rozanski report in terms of commitment, in fact exceeded it. Theirs did not. In fact, they were in the position of having to revise their plans before the election to catch up to what Dr Rozanski required. But that commitment was obtained in a matter of a few days. Our commitment is more long-standing.

We've been in this House since March 2001 with a plan, assiduously working with the people in the education system, understanding and respecting our teachers, understanding the upset and turmoil affecting our students and taking responsibility for an education system that prepares students as good as anywhere in the world. You will see that start tomorrow.

## NORTHERN TAX INCENTIVE ZONE

**Mr Norm Miller (Parry Sound-Muskoka):** My question is for the Minister of Northern Development and Mines. Two weeks ago I attended the Federation of Northern Ontario Municipalities conference in Mindemoya on Manitoulin Island, as I know you did. This year's conference marked the one-year anniversary of Premier Eves's announcement of the establishment of a tax incentive zone for the north. This was a very positive step for the north. The regulations were to be enacted on January 1 of this year. So far, we see no action on this issue. Your leader previously agreed that a northern tax incentive zone is a good idea and that he would be studying it. Can you inform me and the people of the north what the status of the northern tax incentive zone is?

**Hon Rick Bartolucci (Minister of Northern Development and Mines):** The member did attend the FONOM conference. It was a very successful conference, attended by not only the member, the critic on the opposition side, but also by five ministers from the government side, five ministers who were extremely well received and who were greeted with the message, "Finally, there is an opportunity to grow and prosper in a partnership together."

Do you know what? If the FONOM conference told us one thing, it told us that the municipalities in northeastern Ontario have every confidence that not only the budget coming out tomorrow but our relationship with the municipalities will always be in their best interest, and they look forward to working with us as equal partners.

**Mr Miller:** I would like to repeat that a northern tax incentive zone was to be established on January 1 of this year. The people of the north are very eager to see that happen. In fact, at this year's FONOM conference, two resolutions were passed pertaining to this very issue. I'll quote from one of them: "Therefore be it resolved that the Federation of Northern Ontario Municipalities hereby petitions the government of Ontario to immediately establish the regulations for a tax-free zone for all of northern Ontario."

The people of the north are waiting. When will you enact the regulations for the northern tax incentive zone? When can the people of the north expect to see the benefits of a northern tax incentive zone?

**Hon Mr Bartolucci:** I believe that in tomorrow's budget the people of northern Ontario will see a government that's firmly committed to our part of Ontario. They will see a government and a budget that firmly understands the importance of northern Ontario. They will see a government that wants Ontario to grow. They will see a government that is willing to work with them to realize the dreams that northern Ontarians have for our part of Ontario, unlike the previous eight years, where northern Ontarians were by and large ignored by the previous government.

There is a new era in Ontario. It is an era where governments get along with each other, because at the end of the day, we understand that the people of Ontario want growth and opportunity.

## CONSUMER PROTECTION

**Mr Jeff Leal (Peterborough):** My question is for the Minister of Consumer and Business Services. As cottage season approaches, many people coming to Peterborough and Kawartha Lakes are performing routine maintenance on their vehicles. I've heard stories from some of my constituents, particularly seniors, about overcharges and poor quality work at some auto repair shops. What are you doing to protect Ontario's car owners from these unfair, rip-off business practices in the province of Ontario?

**Hon Jim Watson (Minister of Consumer and Business Services):** I'm glad the junior member from Nepean-Carleton took his seat. Since October 2 he hasn't had use of a government car, so he might find this answer quite helpful.

The vast majority of car dealers and repair shops in the province of Ontario are in fact good business people, but there are some who take advantage of individuals. Last year, my ministry received almost 2,100 complaints. These involved things like being overcharged, performing unauthorized or poor quality work, or failing to provide appropriate warranties.

Under Ontario's Motor Vehicle Repair Act, consumers have a variety of rights to protect them in the marketplace. For example, they must receive a written estimate before any work is started, and all repairs completed are protected under a 90-day or 5,000-kilometre warranty.

**Mr Leal:** After buying a house, possibly the major purchase you and I make is acquiring an automobile. I understand the minister has plans to strengthen the rights of consumers with regard to car purchases. How will these proposed changes differ from the existing legislation currently in place in Ontario?

**Hon Mr Watson:** Shortly we're going to be going out to the marketplace with draft regulations for the new Motor Vehicle Dealers Act. Let me give members of the House and the public of Ontario three examples of changes to the Motor Vehicle Dealers Act: (1) offering better protection to the consumers who lease their personal vehicle by providing more information on the final cost of leases; (2) helping consumers make informed purchase decisions by providing more disclosure during a transaction; (3) helping to stop so-called curbsiders—unlicensed car dealers—from victimizing buyers, through proposed new penalties.

I'm committed to seeking broad public input in this process. I encourage members to get involved, to talk to motor vehicle dealers and sellers in their communities and ask them to comment through our Web site, which is cbs.gov.on.ca.

1510

## AGRICULTURE INDUSTRY

**Mr Ernie Hardeman (Oxford):** My question is to the Minister of Agriculture and Food. Back in December, when you met with over 1,800 tobacco farmers in

Tillsonburg in my riding, you led those farm families to believe that you were going to fight on their behalf. Nearly two years ago, you stood in this House and said to then-Minister Helen Johns, "There's a tradition in this country of cost sharing...."

It's become obvious that there will be an increase in tobacco taxes in tomorrow's budget. Will you be using those dollars to fund your government's 40-cent share of transition funding, to match the federal money, as you promised during the election and since?

**Hon Steve Peters (Minister of Agriculture and Food):** As the member knows full well, I'm not going to comment on any uninformed speculation about the budget, but I will throw back to the honourable member, what did he do when proposals were put forward to the government in December 2002 and March 2003? His government just sat on those proposals.

Let me make it perfectly clear that we take the needs of all Ontarians very seriously. We take the health concerns of Ontario citizens very seriously as well. We will continue to be there, working for all farmers, including tobacco farmers. We're going to be putting forth a comprehensive, holistic approach with our Ontario tobacco strategy.

**The Speaker (Hon Alvin Curling):** Supplementary?

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** To follow the member for Oxford, I'll use some of the same language you used on my colleague Helen Johns just two years ago: "It doesn't take a rocket scientist.... There's a tradition in this country of cost sharing, a 40-60 split. I know you have some difficulties with it." Minister, those are your words.

I remind you again that back in December you paid lip service to tobacco farmers, claiming you were behind them, claiming you would fight for them. What has changed? Have you been influenced by your urban colleagues sitting around the cabinet table? Will your government's 40% share for tobacco farmers show up in tomorrow's budget? That's the question.

**Hon Mr Peters:** I'm very proud of the members of this caucus and of this cabinet for the recognition and support they have given to the agricultural industry in this province. I'm extremely proud of our record to date of meeting the needs of all Ontarians, including the farmers.

This government has moved forward with eliminating the land transfer tax on farmer-to-farmer sales. We've invested new dollars in plum pox virus. We've invested \$10 million in the mature animal program. As well, we've flowed over \$64 million in the agricultural policy framework funding. This government is committed to all citizens of Ontario, be they urban or rural.

## SERVICES EN FRANÇAIS FRENCH-LANGUAGE SERVICES

**M. Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Ma question s'adresse à la ministre déléguée aux Affaires

francophones. Madame la ministre, les Européens francophones ont été les premiers explorateurs à fouler le sol ontarien. Aujourd'hui, l'Ontario compte plus de 540 000 francophones et plus de 1,1 million de francophiles. Nous savons que le gouvernement précédent était souvent porté à ignorer l'importance de la prestation des services aux francophones de l'Ontario. Nous savons aussi que la défense des intérêts des francophones n'était certainement pas une priorité pour les conservateurs. Pouvez-vous nous dire ce que vous avez mis en œuvre pour empêcher qu'une telle situation ne se reproduise sous le gouvernement McGuinty?

**L'hon. Madeleine Meilleur (ministre de la Culture, ministre déléguée aux Affaires francophones):** Je veux remercier mon collègue de Glengarry-Prescott-Russell pour sa question.

Yes, he's right: The francophones of this province have been ignored for too long. This government has already launched several initiatives to correct this long-standing problem. Just this past week the Minister of Education, Gerard Kennedy, released the report from the French-language education strategy task force. I wanted to thank him for doing so.

For the first time in Ontario, the unique needs of French-language schools have been clearly identified. My government wants to guarantee high-quality French language services in Ontario's public service. We have submitted a proposal to create a French-language advisory committee. We will also submit a proposal to appoint an ombudsman who will ensure that linguistic rights are respected.

**M. Lalonde:** Pouvez-vous me dire quand ce plan ambitieux sera mis en place?

**Hon Mrs Meilleur:** Since my appointment to cabinet, I have met with francophones in many parts of the province, including Windsor, Hamilton, Toronto, Ottawa, Penetang and Sudbury. I intend to continue my visits during the summer.

Prospective members of the advisory committee have been approached. Its members are being chosen from the vast pool of talented francophones who have a keen interest in providing French-language services in this province. Once the order in council creating the committee is approved, members will get to work. They will draft guidelines that will help us measure how well we are delivering quality French-language services guaranteed under the province's French Language Services Act. Francophones in this province are anxious to see this happen. So am I, and this government too.

## GASOLINE PRICES

**Mr Gilles Bisson (Timmins-James Bay):** My question is to the acting Premier. We saw gas prices go up yet again last weekend. They're going through the roof. People who need to buy gas to operate their cars or trucks are being squeezed harder—higher in this case. My question to you is simply, will you pass the legislation we introduced in this House, which basically is the

Mr Bartolucci "Keep your promises at the pumps" act to freeze the price of gas?

**Hon George Smitherman (Minister of Health and Long-Term Care):** On a matter that's important to all of us and that obviously has pretty significant implications around the world, I'd encourage the member to abide by the rules of the House. He has the opportunity to bring forward a bill for debate in private members' hour, and members will have the opportunity to vote on it at the appropriate time. I encourage the honourable member to take advantage of that opportunity.

**Mr Bisson:** The problem is, the price of gas is now going through the roof. You guys introduced a bill when you were in opposition. In fact, you didn't introduce one. Mr Bradley introduced one, Mr Bartolucci introduced one, almost every member in your caucus introduced bills to freeze the price of gas while you were in opposition. You debated it in your caucus, it was debated in this House, you voted for it and we voted for it. We're saying that today we're going to call for unanimous consent. Will you support our call for unanimous consent to pass Mr Bartolucci's act to freeze the price of gas at the gas pumps? Will you do that today?

**Hon Mr Smitherman:** I think Ontarians would be interested to know that the member is from the party that had the last increase in gasoline taxes of some 13% while they were the government in this province.

I give the member the same answer that I gave to the earlier question, which is that we have rules and regulations in this place. He can bring that bill forward for debate and discussion, and all members will have the freedom of their own conscience to support or not support the legislation. I encourage the member to do that.

#### LAND TRANSFER TAX

**Mr Tim Hudak (Erie-Lincoln):** My question is for the minister responsible for housing. What have you done to date to encourage private home ownership in Ontario?

**Hon John Gerretsen (Minister of Municipal Affairs and Housing, minister responsible for seniors):** I appreciate the question from my colleague. I think what we in this government have done is bring good government to the people of Ontario to try to build strong communities in this province that everyone can benefit from, rather than the kind of government that your government was involved in, which left this province a \$5.6-billion deficit.

We are building strong communities, and we're doing it in a number of different ways: through our greenbelt legislation and through bringing changes to the Planning Act. All those changes will benefit the consumer of Ontario as well as builders in this province.

**Mr Hudak:** What a bunch of pap. That's another superficial response from the minister. I think he well knows that Bill 26 and Bill 27 together are causing a significant spike in vacant land and housing prices in the GTA and the affected areas; as my friend from Durham reminds me, a 40% increase in his area, causing housing

to become unaffordable for increasing numbers of people. I don't see how the minister's policy of increasing taxes in Ontario—potentially over \$1,000 per family in health tax in tomorrow's budget or even a land transfer tax increase. Minister, young families want to achieve that Canadian dream. We, as Conservatives, support that Canadian dream of private home ownership. We brought in the land transfer tax rebate that has helped over 60,000 people move into their own homes and create jobs in the construction sector.

Minister, at the very least, please tell me today that you're going to defend the land transfer tax rebate and, in fact, expand it for young families buying their first home in Ontario.

**1520**

**Hon Mr Gerretsen:** Again, I thank the member for his supplementary. What this government is doing is making sure there's health care and education available for young people in this province, so that we can prosper in this province for many generations to come.

The real thing that the member opposite should have been concerned about for the last eight years, rather than decimating public health care, which you've done, rather than decimating the education system in general, was to build this province up.

The member well knows that Bill 26 and Bill 27 are all about good development in this province so that we can have a province where prosperity will grow and where people can really be proud of their children and their future. That's what Bills 26 and 27 are all about. It's all about the better quality of life that we hope to provide for the people of this province through the enactment of these two pieces of legislation.

#### EDUCATION FUNDING FOR THE DEAF

**Mr Ernie Parsons (Prince Edward-Hastings):** My question today is to the Minister of Education. Minister, Sir James Whitney Provincial School for the Deaf in Belleville has, for years and years, delivered an absolutely quality education to thousands of deaf students in this province. However, for the past eight years the deaf community in Belleville has expressed concern to me that the previous government planned to very quietly close Sir James Whitney and move the students from there to Milton. It is important for the students, the staff and the parents of Sir James Whitney that they make everyone aware of the superb and significant role they play in Ontario in educating the deaf.

I would ask, Minister, if you could, at your earliest convenience, spend some time at Sir James Whitney and see the jewel of education that we have in Prince Edward-Hastings.

**Hon Gerard Kennedy (Minister of Education):** First, I appreciate the member's advocacy on behalf of the students of Sir James Whitney. This is a member who stands in this House with experience in education second to no one, as the chair of his school board, and an advocate for these special students in a special circumstance

and in a special place. We understand very much the value that school brings, and I'm very glad to rise in the House and confirm officially that I will take him up on his invitation to visit the facility, to meet with the parents, the students and the staff, who are doing a terrific job on behalf of the aspirations of all of us in this House.

**Mr Parsons:** Minister, graduates of Sir James Whitney and other Ontario schools for the deaf have a particular challenge when pursuing post-secondary education. There is no post-secondary college or university exclusively for the deaf anywhere in Canada. Our graduates have to attend in the US for a deaf education. I would ask if you would be prepared to review the current situation and examine the possibilities and options available to provide post-secondary education opportunities to our students.

**Hon Mr Kennedy:** Mr Speaker, I would defer to the Minister of Training, Colleges and Universities.

**Hon Mary Anne V. Chambers (Minister of Training, Colleges and Universities):** I'd like to thank the member for Prince Edward-Hastings for his question. Most certainly, the guiding principles of accessibility, affordability and high-quality education extend to and include deaf students. I would like you to know that we do provide funding for interpreters, for intervenors and also for computerized note-takers. We also provide bursaries to help deaf students study here in Ontario, in Canada, and in the US, and we provide funding through an annual grant to the Canadian Hearing Society to recruit and pay for interpreters, note-takers and amplification devices for part-time college and university students who are deaf, deafened or hard of hearing.

I would be very willing to meet with you, to speak with you, and to meet with your constituents to discuss how we can be more helpful.

#### RETAIL SALES TAX EXEMPTION

**Mr Ted Arnott (Waterloo-Wellington):** My question is for the acting Premier, the Minister of Health. It concerns the government's recent announcement that children's booster seats will be made mandatory for children travelling in a motor vehicle who are between 40 and 80 pounds, who are under five feet, 10 inches tall, up to a maximum age of eight.

We all support the principle of enhanced road safety, especially as it helps to protect children. But currently there is a retail sales tax exemption for children's car seats for younger children. This means that when parents buy a car seat, as we call them, they get a tax break and pay no 8% provincial retail sales tax on the purchase. However, booster seats for larger kids are fully taxable, subject to the 8% provincial tax.

My question is this: How can the government justify forcing tens of thousands of Ontario families to buy these booster seats for their older children but deny them a retail sales tax exemption, which is available for car seats for younger children?

**Hon George Smitherman (Minister of Health and Long-Term Care):** I appreciate the member's question,

especially because he spent some time to reiterate how important it is that we take every step possible to protect the youngest children in this province. On the matter at hand, which relates to taxation, I'm going to say what I've said pretty clearly: that matters related to the budget are for tomorrow at 4 o'clock. I encourage the member to be in a position to ask subsequent questions following that important event taking place here, and not at Magna.

**Mr Arnott:** I didn't mention the budget. I'll be here tomorrow; you'll see me here.

My private member's Bill 77, An Act to amend the Retail Sales Tax Act, would extend the existing retail sales tax exemption to include booster seats. It's a very simple, straightforward, one-page bill. Since the minister is unable to give the House a satisfactory explanation of why parents pay retail sales tax on booster seats but not car seats, and given the fact that the government plans to compel tens of thousands of Ontario parents to buy these new booster seats, will he at least express support for Bill 77 and tell the Minister of Finance not to tax booster seats?

**Hon Mr Smitherman:** I'm proud to say that we're part of a party that brought in legislation that's going to save lives in this province. On the matter the member asked about, he clearly acknowledged in his earlier question that this kind of initiative is designed to protect those who are most vulnerable in society, including kids.

I recognize that the honourable member's interest in the sales tax issue has been brought forward. I believe—I couldn't quite hear with all the noise—he spoke about a piece of private members' legislation. With respect to information about private members' time, I would offer that, like other parties, he bring forward items like that that we can debate in this House on Thursday. We look forward to the opportunity to exercise our democratic right as members to vote in favour of or against these matters. I advise you to continue to speak with my colleague the Minister of Finance on a matter related to retail sales tax.

**The Speaker (Hon Alvin Curling):** That brings us to the end of oral questions.

#### MEMBER'S BIRTHDAY

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Mr Speaker, actually two points, very quickly: Members would like to know that today is a very special day in this Legislature. It's a special day in the Hampton family as well, because it's Mr Hampton's birthday. We should take this opportunity to congratulate him on his birthday and also for welcoming his birthday gift into the Legislature today.

On the second point of order, I would ask for unanimous consent to pass, at second and third reading, legislation called Keep Your Promises at the Pump Act, Mr Bartolucci.

**The Speaker (Hon Alvin Curling):** Do we have unanimous consent? I heard a no.

## PETITIONS

### DISABLED PERSONS PARKING PERMIT PROGRAM

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I have a petition to present to the Legislature of Ontario which reads as follows:

"Whereas a disabled person parking permit can only be issued to qualified individuals who are unable to walk unassisted for more than 200 metres in eight minutes or less without causing serious difficulty or danger to safety or health; and

"Whereas the inability to walk unassisted as defined by the Ministry of Transportation is not always determined by a visible disability; and

"Whereas invisible disabilities can often result in difficulty or danger to safety or health when walking; and

"Whereas fines and revoked privileges resulting from misuse of disabled person parking permits are not always enforced;

"We, the undersigned, petition the Legislative Assembly of Ontario to further extend the disabled person parking permit program to include invisible disabilities and ensure that enforcement is emphasized and carried out to a greater degree."

I support the petition and affix my signature.

1530

### MUNICIPAL RESTRUCTURING

**Mr Michael Prue (Beaches-East York):** I have the following petition which was given to me in Rockton, Ontario, this weekend. It contains some 160 names and reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas in the interest of true democracy the Minister of Municipal Affairs put the following question to the voters of the city of Kawartha Lakes: 'Are you in favour of a return to the previous municipal model of government with an upper-tier and 16 lower-tier municipalities?'; and

"Whereas the voters, by a clear majority on a provincially mandated ballot, answered in the affirmative;

"The undersigned demand that the Legislative Assembly of Ontario act to respect the will of the people as expressed in a democratic vote and restore the former municipal structure as stated in the minister's question."

I'm in agreement and sign my name thereto.

### OPTOMETRISTS

**Mr Dave Levac (Brant):** This is a petition to the Legislative Assembly of Ontario:

"Whereas the last funding agreement between the Ministry of Health and Long-Term Care and the Ontario Association of Optometrists (OAO) expired March 31, 2000; and

"Whereas the optometric fees for OHIP-insured services remain unchanged since 1989; and

"Whereas the lack of any fee increase for 15 years has created a crisis situation for optometrists; and

"Whereas fees for OHIP services do not provide for fair or reasonable compensation for the professional services of optometrists, in that they no longer cover the costs of providing eye examinations; and

"Whereas it is in the best interests of patients and the government to have a new funding agreement for insured services that will ensure that the most vulnerable members of society are able to receive the eye care they need;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care resume negotiations immediately with the OAO and appoint a mediator to help with the negotiation process in order to ensure that optometrists can continue to provide quality eye care services to patients in Ontario."

I sign this petition with pleasure, and pass it to Christina.

### MOTORCYCLE INSURANCE

**Mr Norm Miller (Parry Sound-Muskoka):** I have a petition from my constituents of Parry Sound-Muskoka, a petition to protect Ontario motorcyclists.

"To the Legislative Assembly of Ontario:

"Whereas tens of thousands of responsible motorcyclists are being hit with huge increases in insurance or are being denied coverage because of the type of vehicle they ride; and

"Whereas the premiums for the mandatory insurance coverage for motorcyclists have increased on average over 40% in the past two years; and

"Whereas many responsible riders can no longer afford to insure their motorcycles due to high insurance costs; and

"Whereas sales of motorcycles in Ontario have dropped over 7% year-to-date this year, a figure attributed directly to higher insurance rates; and

"Whereas many businesses and individuals in the motorcycle industry are suffering due to the loss of sales and decreased employment that high insurance rates are causing;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government take steps to make motorcycle insurance more affordable and ensure that motorcyclists are treated fairly and equitably by the insurance industry."

I support this petition and sign my signature to it.

### AUTOMOBILE INSURANCE

**Mr Peter Kormos (Niagara Centre):** I have a petition to the Legislative Assembly of Ontario:

"Whereas auto insurance rates continue to skyrocket, contrary to the official position of the Liberal government and the insurance industry; and

"Whereas more and more drivers are being cut off by their insurance companies for no valid reason and are being dumped into the Facility Association; and

"Whereas all attempts to regulate the auto insurance industry have failed;

"We, the undersigned, petition the Legislative Assembly as follows:

"That the Ontario government immediately introduce legislation that would bring to Ontario a public, not-for-profit automobile insurance program similar to the ones currently in Manitoba, Saskatchewan and British Columbia."

Signed by Deborah Walden of Thorold, who presented this to me, along with thousands of others.

#### IMMIGRANTS' SKILLS

**Ms Caroline Di Cocco (Sarnia-Lambton):** "To the Legislative Assembly of Ontario:

"Whereas Ontario enjoys the continuing benefit of the contributions of men and women who have chosen to leave their country of origin in order to settle in Canada, raise their families, educate their children and pursue their livelihoods and careers; and

"Whereas newcomers to Canada who choose to settle in Ontario find frequent and unnecessary obstacles that prevent skilled tradespeople, professional and managerial talent from practising the professions, trades and occupations for which they have been trained in their country of origin; and

"Whereas Ontario, its businesses, its people and its institutions badly need the professional, managerial and technical skills that many newcomers to Canada have and want to use;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Training, Colleges and Universities and the other institutions and agencies of and within the government of Ontario, undertake specific and proactive measures to work with the bodies regulating access to Ontario's professions, trades and other occupations in order that newcomers to Canada gain fair, timely and cost-effective access to certification and other measures that facilitate the entry or re-entry of skilled workers and professionals trained outside Canada into the Canadian workforce."

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr John O'Toole (Durham):** I'm pleased to present a petition on behalf of the member for York North, Julia Munro, who I'm sure would prefer to be here to present it.

"To the Legislative Assembly of Ontario:

"Whereas the Liberal government has said in their election platform that they were committed to improving

the Ontario drug benefit program for seniors and are now considering delisting drugs" or "imposing user fees on seniors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To halt the consideration of imposing an income test, delisting drugs for coverage under the Ontario drug benefit plan or putting in place user fees for seniors, and to maintain the present Ontario drug benefit plan for seniors to cover medication."

I am pleased to sign this, and I endorse it on behalf of the member for York North.

#### ONTARIO BUDGET

**Mr Lorenzo Berardinetti (Scarborough Southwest):** I have a petition. It is addressed to the Legislative Assembly of Ontario and it reads as follows:

"Whereas the parliamentary tradition in Ontario of presenting annual budgets in the House of the Legislative Assembly has existed for decades; and

"Whereas the previous government in 2003 showed disrespect for our public institutions and the people of Ontario by presenting a budget inside a private, for-profit auto parts factory; and

"Whereas the Dalton McGuinty government and the current Minister of Finance will be presenting the 2004 budget inside the Legislature on May 18, 2004;

"We, the undersigned, petition the Legislative Assembly of Ontario to uphold parliamentary tradition and hold a public presentation and debate of the 2004 budget, and every budget thereafter, by our publicly elected members of Parliament inside the legislative chamber."

I sign this petition as I agree with it.

#### CHIROPRACTIC HEALTH CARE

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** "Whereas over 1.2 million people use chiropractic services every year in the province of Ontario; and

"Whereas those who use chiropractic services consider this an important part of their health care and rely on these services along with the OHIP funding in order to function; and

"Whereas the elimination or reduction of chiropractic services would be viewed as breaking the promise not to reduce universal access to health care; and

"Whereas by eliminating or reducing OHIP coverage of chiropractic services, where the patient pays part of the cost, will end up costing the government far more in additional physician, emergency department and hospital visits;

"Therefore, we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the Parliament of Ontario does not delist chiropractic services from the Ontario health insurance plan, and that assurance is given that funding for chiropractic services not be reduced or eliminated."

I sign this petition.

**TILLSONBURG DISTRICT  
MEMORIAL HOSPITAL**

**Mr Ernie Hardeman (Oxford):** I have a petition here signed by almost 6,000 residents from Oxford and surrounding area.

"To the Legislative Assembly of Ontario:

"Whereas the Tillsonburg District Memorial Hospital has asked for ministerial consent to make capital changes to its facility to accommodate the placement of a satellite dialysis unit; and

"Whereas the Ministry of Health and Long-Term Care has already given approval for the unit and committed operational dollars to it; and

"Whereas the community has already raised the funds for the equipment needed;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Health and Long-Term Care give his final approval of the capital request change from the Tillsonburg District Memorial Hospital immediately, so those who are in need of these life-sustaining dialysis services can receive them locally, thereby enjoying a better quality of life without further delay."

I affix my signature to this petition as I wholeheartedly agree with it.

**GO TRANSIT SERVICE**

**Mr Bob Delaney (Mississauga West):** I have another petition from a group of commuters in Meadowvale which I'll read.

"To the Legislative Assembly of Ontario:

"Whereas the city of Mississauga has, within a generation, grown from a linked collection of suburban and farming communities into Canada's sixth-largest city, and tens of thousands of people daily need to commute into and out of Mississauga in order to do business, educate themselves and their families and enjoy culture and recreation; and

"Whereas gridlock on all roads leading into and out of Mississauga makes peak period road commuting impractical, and commuter rail service on the Milton GO line is restricted to morning and afternoon service into and out of Toronto; and

"Whereas residents of western Mississauga need to commute to commute, driving along traffic-clogged roads to get to overflowing parking lots at the Meadowvale, Streetsville and Erindale GO train stations;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Transportation and highways, instruct GO Transit to allocate sufficient resources from its 2004-05 capital budget to proceed immediately with the acquisition of land and construction of a new GO train station, called Lisgar, at Tenth Line and the rail tracks, to alleviate the parking congestion, and provide better access to GO train service on the Milton line for residents of western Mississauga."

As one of those occasional commuters, I affix my signature and ask William to carry it.

**1540**

**ONTARIO DRUG BENEFIT PROGRAM**

**Mr Tim Hudak (Erie-Lincoln):** I'm pleased to present, on the eve of the budget, the last batch of seniors' petitions from Niagara, bringing the total to 1,300. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas during the election campaign the Dalton McGuinty Liberals said they would improve the Ontario drug benefit program but now are considering delisting drugs and imposing higher user fees; and

"Whereas the Liberal government has increased costs to seniors by taking away the seniors' property tax rebate and increased the price of hydro;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Dalton McGuinty Liberals should keep their campaign promise to improve the Ontario drug benefit program and abandon their plan to delist drugs or increase seniors' drug fees."

In support, I affix my signature.

**ONTARIO BUDGET**

**Ms Jennifer F. Mossop (Stoney Creek):** "To the Legislative Assembly of Ontario:

"Whereas the parliamentary tradition in Ontario of presenting annual budgets in the House of the Legislative Assembly has existed for decades; and

"Whereas the previous government in 2003 showed disrespect for our public institutions and the people of Ontario by presenting a budget inside a private, for-profit auto parts factory; and

"Whereas the Dalton McGuinty government and the current Minister of Finance will be presenting the 2004 budget inside the Legislature on May 18, 2004;

"We, the undersigned, petition the Legislative Assembly of Ontario to uphold parliamentary tradition and hold a public presentation and debate of the 2004 budget, and every budget thereafter, by our publicly elected members of Parliament inside the legislative chamber."

I will sign my name to this.

**WATER QUALITY**

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** I too have a petition today, concerning the Safe Drinking Water Act, 2002, Ontario regulation 170/03.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government is implementing regulation 170/03, and in doing so will affect town halls, churches and private property owners including small businesses, local community centres and campgrounds; and

"Whereas meeting the requirements of regulation 170/03 has meant and will mean excessive costs and financial burdens for all drinking water system owners; and

"Whereas there is no demonstrated proof that this new regulation will improve drinking water that has been and continues to be safe in rural municipalities; and

"Whereas Ontario regulation 170/03 was passed without adequate consultation with stakeholders throughout Ontario; and

"Whereas stakeholders should have been consulted concerning the necessity, efficacy, economic, environmental and health impacts on rural Ontario;

"Therefore, be it resolved that the Legislative Assembly of Ontario abandon the implementation of and immediately repeal regulation 170/03, as well as amending the pertinent enabling legislation.

"We, the undersigned, support the attached petition."

I do as well.

#### ONTARIO BUDGET

**Mr Khalil Ramal (London-Fanshawe):** "To the Legislative Assembly of Ontario:

"Whereas the parliamentary tradition in Ontario of presenting annual budgets in the House of the Legislative Assembly has existed for decades; and

"Whereas the previous government in 2003 showed disrespect for our public institutions and the people of Ontario by presenting a budget inside a private, for-profit auto parts factory; and

"Whereas the Dalton McGuinty government and the current Minister of Finance will be presenting the 2004 budget inside the Legislature on May 18, 2004;

"We, the undersigned, petition the Legislative Assembly of Ontario to uphold parliamentary tradition and hold a public presentation and debate of the 2004 budget, and every budget thereafter, by our publicly elected members of Parliament inside the legislative chamber."

I affix my signature to this petition.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr Norm Miller (Parry Sound-Muskoka):** I have a petition from my constituents in Parry Sound-Muskoka.

"To the Legislative Assembly of Ontario:

"Whereas the Liberal government has said in their election platform that they were committed to improving the Ontario drug benefit program for seniors and are now considering delisting drugs and imposing user fees on seniors;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To halt the consideration of imposing an income test, delisting drugs for coverage under the Ontario drug benefit plan or putting in place user fees for seniors, and to maintain the present Ontario drug benefit plan for seniors to cover medication."

I support this petition and affix my signature to it.

#### ORDERS OF THE DAY

##### AUDIT STATUTE LAW AMENDMENT ACT, 2004

##### LOI DE 2004 MODIFIANT DES LOIS EN CE QUI CONCERNE LA VÉRIFICATION DES COMPTES PUBLICS

Resuming the debate, adjourned on May 10, 2004, on the motion for second reading of Bill 18, An Act respecting the Provincial Auditor / Projet de loi 18, Loi concernant le vérificateur provincial.

**The Speaker (Hon Alvin Curling):** I understand that it's on the opposition side.

**Mr John Yakabuski (Renfrew-Nipissing-Pembroke):** I'm pleased again to rise to address Bill 18 here in this chamber, as I did last week before we moved on to other business.

The first thing I'd like to do is congratulate Andrea Horwath for winning the Hamilton East by-election. It's a big win for the NDP. I think it's a big win for Ontario. The Liberals went to Hamilton with the wallet open. They were going to buy the by-election. But the people have repudiated their platform in spades—or maybe not their platform; maybe the fact that they just can't live up to their platform—by sending an NDP member to the House here. I do congratulate Andrea for being successful.

We had a very good candidate, a very fine candidate ourselves in Tara Crugnale. We were very pleased with the campaign we had. However, it wasn't our time in Hamilton East.

I think what has been demonstrated clearly is that the people of Hamilton East—and they're representative of the people of Ontario—have had it. They've had it with the broken promises of this government and they're only seven months into their mandate. So they've sent a clear message to the government, and we're hoping that the government is hearing that, because tomorrow, as you know, is budget day.

I'm going to get back to that a little early because we are talking about Bill 18, respecting the Provincial Auditor. While we're substantively in agreement with this bill, we do have concerns about it as well. One of the things I started to talk about was the lack of retroactivity in this bill, which goes against the grain of this government because it is a government of retroactivity. It likes to go back on everything, including private school tax credits, the seniors' education property tax credit and a number of other things, but it doesn't want to give the auditor the power to go backward if there's a problem that should be looked into.

One of the other things we're concerned about is, is this just a smokescreen on the part of the government to try to convince people that they're actually doing something concrete and solid about making sure the auditor has the necessary powers and ability to bring down a report that will be clear in its judgment when it

comes to misdeeds on the part of the government and spending your money, or are they just trying to cover up the fact that they haven't really done a whole lot as of yet and they're trying to convince us that they're really concerned about the money? The way that this government has been spending money should be a concern to everybody. It should be a concern to all Ontarians, the way this government is spending money.

It goes back to what really is the Liberal principle and the Liberal way. They don't have the ability to manage money. They just have the ability to take more of it. They just want to take more of your money. That was clearly the way they governed between 1985 and 1990. They had the biggest tax increases in Ontario's history at that time, but they're outstripping them in this government.

What this government fails to understand, but the people of Ontario understand, is that there's a lot of concern about what's going to happen tomorrow with this budget. The auditor should be worried about that too. They've already broken promise after promise, and tomorrow, watch out. If you've got zippers on your pockets, you might want to do them up, because tomorrow is going to be a tough day for Ontarians. They're going to be digging in there, and they're going to be digging in there deep.

What the average Ontarian can't do is say, "I want to buy this or buy that," or "I want to get a new this or a new that. All I have to do is go to my employer tomorrow and say, 'By the way, my wages have just gone up 20%. I'm just raising my wages.'" You see, you can't do that as an employee in Ontario, or anywhere else in the free world that I know of, because you have an agreement with your employer. You're paid so much for the work that you do.

But what the Ontario government wants to do now—they're going to need more money. They say, "We need more money." They shouldn't be saying, "We need more money"; they should be saying, "We've got a situation where we promised we were going to balance the budget, so we're now going to do that." But no, what do they do? They go to people and say, "We need more money. We're just going to you and we're telling you that you'll be paying more." You can't do that as an employee, but they're doing that to the people of Ontario in spite of the fact there was an ironclad promise on the part of the Premier that said, "I will not raise your taxes."

**1550**

What else is going to happen tomorrow? A myriad of user fees could be coming our way. The people of Ontario are going to take a hit tomorrow like Sonny Liston is coming back from the grave. It's going to be like one of his left hooks; it's going to be the knockout blow. I'm really concerned about what's going to happen tomorrow.

But I want to get back to this auditor's act. The bill respecting the auditor should certainly be dealing with regulation 170/03 as well. I'm looking at the impact of that on people in my community and all across rural Ontario. It's going to be devastating.

Last week the minister, under intense pressure from the people of Ontario, rural people, the Progressive Conservative and New Democratic Party caucuses, backed off a bit and announced a moratorium. Well, that's not good enough. We've got to know what's actually going to happen out there, because they're just buying six months of grace. The Liberal Party is just buying six months of grace so that six months from now when the summer is past, when the campgrounds have had their summer, "We're just going to slide it under."

The minister has the nerve to get up here and say, and say to the press, "This is a flawed piece of legislation. That's the problem. The problem was the previous government." I'll tell you, the minister had no problem putting this ad in the newspaper back in the spring. She was all sold on 170/03. Had she herself not read the regulation? Did she not know the impact that was going to have on people across rural Ontario? Did she not have any idea?

This has come back now in spades. People in my riding and in rural ridings like those of my friend from Simcoe North, my colleague from Haliburton-Victoria-Brock, my colleague from Parry Sound-Muskoka and other rural ridings have brought this issue back, and the minister is getting nervous. Do you know why? She's a little worried about what's going to happen in Hastings-Frontenac-Lennox and Addington as well because it's a serious oversight on the part of bureaucrats that they have allowed this regulation to get this far. There have got to be some substantive changes made. A six-month moratorium won't do. There have got to be some changes and we should be made aware of them as soon as possible.

Of course, we are talking about Bill 18, An Act respecting the Provincial Auditor. As I said, substantively we want to see a tough act that gives auditors strong powers, because the auditor is going to have a heck of a job on his or her hands over the next 10 years, looking after the mess this government is going to be creating with the financial situation and the money they'll be taking out of the pockets of people in Ontario.

There's no doubt that the tax burden on the people of Ontario—I don't know exactly when tax freedom day is in the province today, but under the previous government it continued to get earlier and earlier in the year because they ran the province without having to take all your money. They increased health care spending to a record over \$28 billion in this province and lowered your taxes at the same time. This new government is going to raise your taxes, empty your pockets, empty your bank account, and you're going to be left with nothing.

**The Speaker:** Questions and comments.

**Mr Rosario Marchese (Trinity-Spadina):** While I agree with the member for Renfrew-Nipissing-Pembroke on some matters, I have to express some reservations about the previous Conservative government. John, if you could create a deficit—let's say it isn't \$5.6 billion; let's just say it's \$4 billion—in good economic times, it worries me.

People understand that you might create a deficit in difficult times—some people might, if they want to be

frank, although Liberals always want it both ways. They often say of the NDP, about when we were in power, "You didn't spend enough." For example, tuition fees: "You increased tuition fees by whatever percent," they would say.

In the same breath, paradoxically, they would say, "Yes, but you created the deficit. We would never create such a deficit." You understand the dichotomy of Liberal politics. If you create a deficit, they say, "Ha, only New Democrats do that. Liberals wouldn't do that." If you don't spend on some programs in that recessionary period, Liberals accuse you of not spending enough and cutting back. You understand the point I'm making, don't you?

**Mr David Zimmer (Willowdale):** Explain it to me.

**Mr Marchese:** Only Liberals can do that. See, you understand, I've got my own problems—to which I will speak, whenever I have an opportunity—with Liberals. Don't misunderstand me. I've got a lot of concerns about that. They refuse, for example, to tax the highest-income individuals in Ontario because they made a taxpayers pledge. I know you have disagreement with that, too, in different ways, but I believe that's the fair way to go in terms of where you get your money. So because they don't want to break that promise, they're going to go after everyone tomorrow with marriage certificates, licences, birth certificates, death certificates. You name it, tomorrow you're going to get whacked.

**Ms Jennifer F. Mossop (Stoney Creek):** I'm very happy to respond to the statements of the member of Renfrew-Nipissing-Pembroke.

First of all, I hope the Tories also listen to the voters in Hamilton East, because they got so few votes in that election they didn't even get a blip on the graph. You weren't even on the radar screen in this thing. I hope you listen to the message that those people sent to you.

They're telling you, "We know what you did when you were in power. We know the mess you left, we know the damage that you did, and we know the mismanagement. We know that is why there is no money. You didn't leave us any money to do anything with. You spent it all, and then you spent some more. Then you tried to hide the fact that you spent it all, and then you spent some more." That's why I am supporting this bill, because we don't want people trying to hide the things that they do, when they give untendered contracts to their friends and they create extra layers of bureaucracy and keep the money out of the grass roots programs.

So yes, it is going to take us a little while to clean up the mess, but we are rolling up our sleeves, we have consulted the people of Ontario, and I'm telling you that next time we go to the polls in Hamilton East and all across this province, you will find a very different result, because we will have done the work. We will have cleaned up the mess.

Your result will not change; I'll tell you that. You'll still be down there, just a bare little blip on the graph down there with your votes, because people won't forget

too soon your legacy, and we won't let them forget too soon the legacy that you left.

This is a very, very important initiative. This is a very important bill and initiative. We have to have accountability. We have to have accountability all throughout government and crown corporations, in every corner. We cannot leave any stone unturned when we look at how the taxpayers' dollars are being spent. It's coming out of my pockets, it's coming out of your pockets. It's coming out of everybody's pockets, and we have to be accountable and responsible, and we will be.

**Mr Garfield Dunlop (Simcoe North):** I'm pleased to rise to make a few comments on my colleague the member from Renfrew-Nipissing-Pembroke's statement today in the House. As you can tell, he's a very knowledgeable person. He understands exactly what's happened here in the past and where we're going in the future. He makes a very valuable new member, and we're very proud to have him in our caucus.

I listened with interest to some of the comments. I think we've got a real issue. Tomorrow is a very special day, of course, in any government, and for the Premier and for the Minister of Finance, it's their opportunity to try to showcase their platform and to showcase where the government will be going in the future.

I think, of course, they've got some very, very severe problems, and the severe problems really account for the billions of dollars that you made in promises during the election campaign and throughout the previous two years leading up to the campaign. They all weren't made in the 30 days of the election campaign. I have people coming into my office on a regular basis showing me letters from Mr McGuinty about what he promised in a certain segment or a certain issue. Of course, those people are back now, wondering: "This is what he showed me. Here's a copy of the e-mail. Here's a copy of the letter. It looks like he's not going to fulfill his promise." And we say yes. Of course that all relates back to that 60-page cabinet document that you refused to release to our party. That document, we understand, basically shows the spending promises, the cost of your election platform. That would have been in the tens of billions of dollars. They're trying to dilly-dally with this \$5.8 billion, which is really peanuts when you compare it to the tens of billions of dollars in election promises that you promised to the citizens of Ontario. Of course you'll pay for that tomorrow, with Mr McGuinty's and Mr Sorbara's first budget.

1600

**Mr Khalil Ramal (London-Fanshawe):** I'm honoured to rise to talk about this issue, which I spoke about last week. It's very important to all of us. As we've detailed in the past, it's important to our government and it's important to the taxpayers of this province.

I was astonished when I heard the member from Simcoe North say \$8 billion is not important for our budget and not important for our economy. I don't know what he's talking about. That's why, I guess, there was mismanagement by the past government, spending

money left and right regardless of any issues. They have no respect for taxpayers' money. They call it peanuts. Eight billion dollars should be spent on health care, education and social programs. The member has no respect for the money, no respect for any issues. He has no respect for taxpayers' money. He called \$8 billion peanuts—nothing, not important. No wonder, after eight years of mismanagement, that government put us in the hole. That's why we have a lot of problems in health care, problems with education, problems with our social programs. Those people have no respect for the value of money and no respect for taxpayers' money. That's why we're in a mess.

I guess if we pass this bill it's going to be important to all of us. At least we're going to have an auditor to monitor every penny that goes out of this government, used and invested wisely in our infrastructure, in our health care, in our education. I recommend that all members of this House support this bill, because it's important to every one of us, regardless of party. Regardless of the party we come from, we have to remember one thing: We are here to protect the people of this province; we are here to protect the taxpayers' money.

**The Acting Speaker (Mr Ted Arnott):** That concludes questions and comments. The member for Renfrew-Nipissing-Pembroke has two minutes to reply.

**Mr Yakabuski:** I want to thank the members from Trinity-Spadina, Stoney Creek, Simcoe North and London-Fanshawe for their comments. I hoped I would be responding to their comments on Bill 18, but they hardly addressed it. They've gone all around the bill. Anyhow, I do want to comment on some of their comments, particularly the member for Stoney Creek, who wanted to talk about the deficit.

You know, every home has a budget. In our house, we plan to buy a certain number of things during the year, and we have a budget. If we get partway through that year and things aren't turning out the way we expected, we have to make some changes. My wife and I sit down and we say, "You know, we can't afford that. We're going to have to make some adjustments on the expenditure side or try to make some adjustments on our income side."

Do you know what? That's the way you run a budget in the province of Ontario too, except now that the Liberals got elected. They got elected in October, half-way through the budgetary period, and they did nothing. They did nothing. They were well aware of the terrible year 2003 was, with respect to unbelievable events—SARS, mad cow, West Nile, the hydro blackout—that made such a tremendous impact on the budgetary situation of the province. It was up to them to sit down and say immediately, "We've got some issues here. We've got to address them." How did they address them? They spent six months whining and crying about the last government, how it ruined the province, how it left them in such a bad state. But they didn't do a thing to mitigate the financial situation. Now we're at budget day tomorrow, and it's going to come back to haunt them.

### **The Speaker: Further debate?**

**Mr Marchese:** I'm happy to have the opportunity to speak to this bill, or indeed any bill that comes before this House. Without having consulted all the other New Democrats, I suspect the majority would support this bill. It's really not offensive to anyone that I am aware of. I think it will do some good things, and in this regard I will be supporting it.

The couple of things it does do: First, this auditor is going to have a new name. Rather than the Provincial Auditor, we'll have the Auditor General, something that will strike fear in the hearts of many individuals and institutions in the same way that Sheila Fraser has struck at the heart of so many Liberals at the federal level. In this regard, it can do nothing but good, because wherever there is malfeasance it should be found, and who better than the Auditor General? Who better? The other thing it does, of course, is that the Auditor General will now do audits of hospitals, school boards, universities, colleges and crown corporations such as Hydro One, OPG—no problemo. This is good.

People should enjoy today, particularly as it relates to this bill we're debating, because come tomorrow, a whole lot of people are going to get whacked. They're not going to be happy. Come Mr Tuesday mañana, a whole lot of people are going to be coming after the Liberals like you've never seen.

### **Mr Ramal: How do you know?**

**Mr Marchese:** I'm going to tell you. The Liberals refuse to tax the fat cats, those who have money. You wouldn't dare touch people with money. The Tories wouldn't do it, certainly, because they continued with their tax cuts on the fat cats. What will Liberals do? What will they do? What will they say? What did they say they would do? They have a pledge that they're not going to increase taxes. I understand the Tories, but the Liberals signing that dumb pledge that Monsieur McGuinty signed? I don't know. It was not one of the greatest acts in a lucid moment of a Premier, in my humble opinion. It was a serious mistake.

In refusing as Liberals to tax those who have—fat cats, let us say—what are the options for tomorrow's budget? The options are that they're probably—well, they've gotten away from taxing fat, I understand, which is good, because they were about to do the stupidest thing, David, of taxing hamburgers under four bucks, you know, that kind of stuff, fatty foods. They were going to try to get away with it by explaining that this is for the betterment of people's lives, that this would be better for their health if they taxed sandwiches at \$4 and less.

### **Mr Ramal: It was a rumour, sir. It was a rumour.**

**Mr Marchese:** They were about to do stupid things like that because they failed to take on the fat cats, those who have money to give, those who have been the biggest beneficiaries of the Tory tax cuts. Liberals are going to leave them alone, because the Liberals, McGuinty, signed the pledge: No new taxes. So tomorrow, good citizens, get ready for a shellacking, a whacking, because they need money.

What are they going to tax? Alcohol. It's easy to tax alcohol. Tobacco. It's easy to attack tobacco. They're going to increase fees on marriage licenses, birth certificates, death certificates. By the way, on the birth certificate stuff, I've got to tell you, I was waiting for my marriage certificate for about seven months, and they're going to increase the fee to get it. Maybe you won't have to wait seven months, maybe it'll be six, but I have a suspicion that it will be probably 10 months or a year from now if you're applying for a marriage certificate. It ain't coming. Imagine this: I waited seven months, and people are waiting for birth certificates for six, seven months to a year. David, can you believe that? You might say you'd understand it if the Tories did it, but under a Liberal jurisdiction, you would think it would be fixed today. People in need of a birth certificate are still waiting. So you're going to get whacked tomorrow with higher fees for birth certificates that you've got to wait a year to get—not a pretty thing.

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*Interjection.*

**Mr Marchese:** "Where would you get the money?" I just explained, David. You want me to explain it again? If you tax income, it's fair, it's just, because under the progressive income tax system we have in Canada, those who have a little more pay a little more. Unfortunately, there are so many gaps and loopholes that rich guys, people who know how to get around the laws, are able to save money. But income taxes are the fairest way to get the money. That's what I was saying to David. That's how you should get it. But he and his colleagues refuse to do that.

Wait for tomorrow; good news is coming. I'm waiting, George. George says, "Be here." I'll be here, George. I hope to be closer to you. We'll have to wait for yet another week and a half or two, but we'll be closer to you soon, George. By the way, George, I wouldn't miss that budget announcement tomorrow for the world. In fact, I'm drooling at the prospect of what the finance minister might deliver tomorrow.

Fat cats, you're OK under the Liberals. Poor folk, wait for a shellacking tomorrow. It's sad, for Liberals who often gesture thusly, as a way of expressing that they have a heart. There's no heart there. It's gone. It's dead as a rock, as solid as a rock. There is no heart. Tomorrow you'll see it.

Instead of reinvesting, they're simply reinventing themselves. They are going to reinvent government in the same way the Tories tried to do it. This is another way of reinventing government, by saying, "We'll be more efficient. We'll dig out the extra dollars somewhere." I don't disagree with that. If there are dollars to be had in terms of how money is invested or how it is not invested properly, if this does it, I say, God bless; this is a good thing. But it's about reinventing yourselves, not reinvesting.

You've broken every promise. The only promise you should have broken is that you will increase income taxes on the wealthy as a way of recovering lost revenue,

approximately 16 billion bucks by that previous government. If you don't recover that lost revenue, you are operating under the same box. You understand that, Doctor? It's the same box. If you are operating under those tight guidelines, you've got to squeeze rocks for the extra money. You just can't do it. It's not going to work. That's why I say that I drool at the prospect of what it is that you might offer tomorrow.

Michael, you guys are about to whack families with a health care fee that McGuinty in opposition said was bad, was wrong. Now, this is rumour, says my friend from London-Fanshawe. He says, "It's only rumour," the way George and others are saying, "It's only rumour. Everyone's speculating about rumours." I've got no problem with floating ideas, getting some feedback, and if they're bad, you throw them out—no problemo. I think it's OK, but if this rumour were to be true, that tomorrow you're going to announce a health care levy, one that McGuinty opposed, it's bad.

This is not to say that McGuinty hasn't broken any other promise. God knows the list is long. Why review those lists? It's irrelevant, really. Everyone knows. As Leonard Cohen sings, "Everybody knows." Isn't that a good song? I love that song. But everybody knows, so why enumerate the litany of broken promises?

I'm telling you, good citizens, keep an eye on the budget. Keep George accountable. Greg Sorbara—Mr Tuesday, Father Tuesday, Reverend Tuesday—tomorrow, he'll fix things. He'll fix things, all right. That's why I'll be here.

Speaking to this bill, it is a good bill. But David, I hope you're amused by everything else I'm saying.

**Mr Zimmer:** I'm paying careful attention.

**Mr Marchese:** That's good.

Speaking to this particular bill, there is never any mention of extra pecunia to do this work. You understand that these are expanded powers we're giving to the new Auditor General, expanded powers to do more, because now you're going to go after colleges etc. So you need more money, right?

**Ms Caroline Di Cocco (Sarnia-Lambton):** You have to be here at 4 tomorrow.

**Mr Marchese:** You got it. You knew where I was going. See, the Liberal rump here and others knew where I was going. I wasn't even so subtle, I suppose. I don't know. But if you've got more work, the Auditor General says, "Give me the money. Show me the money." Remember, the Auditor General—

**Ms Mossop:** We'd show you the money if they had left us any.

**Mr Marchese:** Now, you can blame the Tories all you want, but when you introduce a new bill, it becomes your bill—not theirs, yours. So the problemo around this bill, as I was trying to express before you were just interjecting, is that you need some money. Do you agree?

**Ms Mossop:** I agree.

**Mr Marchese:** OK. The rump here agrees that we need more money for the Auditor General to do this job. Has anyone heard any Liberal, minister or otherwise, say, "We need more money"?

**Mr Dave Levac (Brant):** No.

**Mr Marchese:** No. Exactly. I haven't heard one Liberal say, "Don't you worry, Marchese. The money is coming."

**Mr Mike Colle (Eglinton-Lawrence):** I told you last week.

**Mr Marchese:** Michael, you indicated as a gesture to me—"Where's the pecunia?" That's what I said. "Where's the pecunia?" Right? When I did my two-minute—

**Mr Colle:** Health and education.

**Mr Marchese:** No, I'm talking about this bill. Forget health and education at the moment, although I could go on on that. But let's stick to the bill, right? The Auditor General says we need more. I say it's only obvious that if you expand his powers, you'll need more. Michael Colle agrees with me that, yes, you need the bucks. Hopefully, it will flow. What more can I say? I'm assuming, because you like this bill, there will be hearings, and I suspect there will be lots of people saying what I am saying: Where's the money?

**Hon Harinder S. Takhar (Minister of Transportation):** Give it to the NDP.

**Mr Marchese:** The Minister of Transportation says, "Give it to the NDP." Please, I wasn't asking that. God, it's not for me to have the money. It's for the Auditor General to have the money, because if the Auditor General has the money, that individual, man or woman, can independently do the job that Bill 18 wants him or her to do. The money is connected to the independence of that position so that you're not begging the government constantly for money. I understand this. If the Auditor General doesn't get the money, one could become somewhat soft and vulnerable in one's ability to independently criticize the government, because if the money is not there and the money is to flow based on the kinds of decisions the Auditor General makes—you understand—the Auditor General could potentially lose his or her independence. You will agree with that, as a lawyer?

I think he agrees—passive agreement. I believe it's connected. Give the person the money so they can do the independent job that you, I suspect, want them to do. So I suspect the money will flow.

Yes, there will be some people out there—institutions no less, like hospitals, universities, colleges, school boards—who will argue, "We're already doing this. Please, we don't need an Auditor General's review, because we're already doing it." They will argue perhaps that this is redundant. They will say, "Why would you spend money to do something that we're doing?" I'm sorry. I say to those institutions or to individuals in those institutions, what our Auditor General will do is to look for value for money.

Yes, we agree with the concept, and why wouldn't we? Yes, let's review processes and procedures to make sure that we, as funders of these institutions, agree with the direction they're going in. I've got no problem with the fact that some people will object, and I disagree with the objectors, should there be any—I suspect there are—

if they argue that, or argued it or will argue it in the future. I think this is OK, and I think the Auditor General, whoever that person will be, if they are like Mr Peters—remember him? You guys hired him for a while. He was a good man. I liked Mr Peters. I liked him because he played no favourites with any political party. That's what you want in an Auditor General.

You want an Auditor General like Mr Peters, who was equally scathing of New Democrats, equally scathing of Tories and, I suspect, would have been, had he been here, equally scathing of Liberals, because I think he's a very ethical person. He wants to do the job, and he wants to do it right.

**1620**

So my hope is that we will have someone like Mr Peters or a Sheila Fraser type at the federal level who will dig deep into the annals—

**Mr Zimmer:** The bowels.

**Mr Marchese:** —the annals, bowels of malfeasance, possibly, and fix the problems, wherever they might be.

**Mr Zimmer:** The Tories' malfeasance.

**Mr Marchese:** The Tories were bad, and he would have found something equally bad in the Liberal administration, had he remained. But not to worry, because whomever you hire will do the job as effectively and objectively as Mr Peters. Some people describe Mr Peters as an equal opportunity scathing officer. I think that's true. I always liked him. I dealt with him in committee, and I found him always to be a very fair man.

This bill proposes a 10-year term. I think a 10-year term is good. I think it's good to put in the legislation. Clearly, it wasn't in previous legislation that you had a defined term. I think that's a problem, because people in such a position, under the way it was written in the bill, could be there for life. I don't think it's right.

I don't think it's right for people to be there for five years and then assume or pretend that the job is theirs, should they say, "Yes, I'm willing and interested in remaining as the privacy and information person." With all due respect, I believe she's a very able person. But I hear tell from a number of sources clearly that she might have resigned if she didn't get the appointment, and I don't agree with that. If a person is able and competent, they should have the confidence to reapply for the job and not ask the government that it be given to them without that process of interviews, where you go before peers and you're judged on merit and your experience. So I disagree profoundly with what you did in not rehiring and having all three political parties being part of that, but rehiring based on what principle I can't define, can't explain and can't defend.

So I'm happy that Bill 18 puts into place a 10-year term. After that, I presume that person is gone—"Sayonara. Thank you very much for the work you've done"—and we move on with another person. I prefer that kind of scenario, where things are very clear. The old process wasn't clear, and the process the Liberals selected for the rehiring of the privacy and information officer was, in my view, mistaken and wrong.

So the leader's been stood down. I suspect our colleague will speak to it. My suspicion is that they will support the bill too, but I don't want to speak for her.

Coming back to the comments I made in the beginning, I get awfully tired when the Liberals complain about New Democrats: "God, they didn't spend enough," and "God, they spent too much." It's tiring. It really is tiring. You would think, after a while, Liberals would learn something and say, "We're in charge now. We've got the limousine. We've got the wheels. We've got some extra money. Yes, we're going to get a reduction because we can't balance the budget"—it's not a big deal, I suppose; a couple of bucks less. But you're in charge now, and you've got to move on.

I've got to tell you, some of your ministers look bad when they constantly say, "Oh, but you did this," and "Oh, the Tories did that." After a while, it gets so tiring. Just do the job. Do what you want to do. Do what you can do. Talk about what you're doing to deal with the problems you've got. Defend what you're doing, and hope for the best. At the end of it, you just hope for the best. I would prefer that. But to attack New Democrats in the 1990-95 period, when we are accused of creating a deficit and not spending enough, is inconsistent, you understand—paradoxically not smart to say.

I'm happy to say I'll be supporting this bill.

**The Acting Speaker:** Questions and comments?

**Mr Levac:** I appreciate the opportunity to comment. The member from Trinity-Spadina did me a good favour; that is, he actually spoke about the bill and indicated that he and, without putting words in his mouth or assuming anything, I suspect the NDP are on side with this, on the understanding that Bill 18, the Audit Statute Law Amendment Act, is something that is good for the province and good for the people of Ontario.

One of the things I've said from the very beginning is that I wanted to bring the message and concerns of the people of my riding—110,000 voices—to Queen's Park and have Queen's Park assist us with what we need to do for our hopes, dreams and aspirations, particularly with the money they give and loan to the government to spend back out and not have Queen's Park tell them what it's going to do to them.

I think that's exactly what this bill is about. It's taking the action the member was talking about. What action are we going to take? Well, we're going to take this action because we've seen years and years of the way we put money over here and it disappears, and put money over there and it disappears and doesn't get fed this way. This is accountability and clarity. It's very clear and it's going to be transparent. It's opening it up.

Eighty per cent of the money spent by government agencies is spent outside the realm of this Legislature and the auditor. We're going to bring that in and say, "We should be accounting for all the money that's being spent." Disclosure of where that money is going is what the people of Ontario want. They want to know that the money being spent on all those institutions that are supported by provincial money is accountable and transparent—we can see and it's clear.

I want to thank the member from Trinity-Spadina. That's what he was talking about, and I think he supports that. That's the good news about this.

**Mr Gerry Martiniuk (Cambridge):** It's always my pleasure to listen to the member for Trinity-Spadina. He has always entertained me, but on those occasions when I listen closely, he has a great deal to say, a great deal of wisdom, in my opinion. It was interesting that he varied from the bill somewhat, in that he had to instruct some of the hecklers from the Liberal benches as to their responsibilities in this House.

Responsible government is what we have in the parliamentary system. It's not representative government; it's supposed to be responsible government. We have a bill before us that is presented by the government, and they are responsible. But I can't help but think that the viewers get confused at times, because I certainly do.

I recall meeting with a group of Japanese students travelling through Cambridge, who told me about their form of government. They have a single, unitary government and one for their municipality—two little governments. Then it was my turn. I had to explain to them what government was like in Cambridge. First of all, we had a city, which they had. They recognized that. Then we had a school board, which was way over here. They were elected representatives. Then we had a regional government. So we're up to three levels of government already. Then I had to explain to them that we had a provincial government for the province of Ontario and a federal government. By the time I had finished explaining, and perhaps I didn't do a good job, they were somewhat confused. We get calls from our constituents daily looking for information, and they also get confused as to who is responsible for what.

1630

**Mr Colle:** I wanted to comment on the debate by the member from Trinity-Spadina. I think he made some good points. Bill 18 is bringing forth additional powers to the office of the Provincial Auditor. There's no doubt that he will take on more varied and challenging tasks, because now he will be going into the whole area of hospitals and universities and looking at their various accounting practices and making sure they adhere to accepted accounting principles, as he's done here in the Legislature.

I think Mr Erik Peters, who was here for the eight years I've been here, certainly gave credit to the office of Provincial Auditor. He was impeccable, extremely fair and tough. Sometimes the public doesn't appreciate that officers of the Legislature are doing an amazing amount of work for the public, protecting not only the public purse but also the public interest, making sure institutions are being run fairly and in a very efficient manner and that they are following accepted practices. That's what Bill 18 is about, and we think this is a step forward in ensuring there is more accountability in government.

I would like to correct my friend from Cambridge: Yes, this government is responsible, but since 1837, from William Lyon Mackenzie, we have responsible and rep-

representative government—you can have both. So having representative government doesn't preclude being responsible.

Anyway, this is good legislation. It does a lot of good for the public interest, and that's why I think all sides are supporting it.

**Mr Pat Hoy (Chatham-Kent Essex):** I'm pleased to rise and make a few comments in this debate on Bill 18, which encompasses various aspects of the Provincial Auditor. The role of Provincial Auditor in this province is to be cherished by the people of Ontario. The Provincial Auditor ensures that monies that are collected by not only this government but governments in the past and most assuredly into the years ahead are spent well. We want to make sure the monies are spent to the benefit of those persons who have entrusted governments with their hard-earned tax dollars.

In the past, the auditor has made reports on all governments and keeps governments in check, making sure that further recommendations put forward by the Provincial Auditor are acted upon, so that indeed those monies are well spent and the accountability of elected officials remains paramount. The Provincial Auditor's main role, in my mind, is to ensure that we who are entrusted with those dollars spend them wisely and to the benefit of all. This is indeed a step forward in that regard.

The bill talks about the term of office of the Provincial Auditor. I think it's important that there be continuity in that occupation. I think, too, that the person who holds that office must continue to have the trust of both sides of this House, not only the government but also the opposition side, so that the people of Ontario are served very well through the initiatives of not only our government but governments of the past and governments that will be here for many years to come.

**The Acting Speaker:** That concludes questions and comments. The member for Trinity-Spadina has two minutes to reply.

**Mr Marchese:** I thank the respondents and have a reaction to some of them.

First of all, I'm supporting this particular bill. My suspicion is that some others in our caucus will too, but I can't speak for them. Secondly, the members from Brant, Eglinton-Lawrence and Chatham-Kent Essex spoke about the need to expand the responsibility of the Auditor General into other fields. I understand that. I wasn't disputing it. No one is. We don't have to explain to the public, each and every one of us each and every time, why we are doing it. I think we understand it. It's for that reason that I said we need the money to be there to support the functions of the Auditor General. But no one spoke to that. Not the member for Brant, the member for Eglinton-Lawrence or the member for Chatham-Kent-Essex spoke to the issue, the recognition that the responsibility is heavier and, therefore, "We agree with Mr Marchese when he says we're going to have to put some more money in." Not one cent. Maybe other speakers will, as they speak—possibly next. But if you assure us and the public that the money is coming, people

will feel a little better, because no one is arguing that the position you're creating with expanded powers is bad. I suspect most speakers are saying it's good. But if not accompanied by money, it's a problem. That's mostly what I spoke to. There are other things I spoke to, but I hope other Liberals will address that when they speak to this bill.

**The Acting Speaker:** Further debate?

**Mr Phil McNeely (Ottawa-Orléans):** I will be sharing my time with the member for Sarnia-Lambton.

I'm pleased to rise in this House to address Bill 18, An Act respecting the Provincial Auditor, an act that would permit the Provincial Auditor to have access to the books and records of schools, school boards, universities, colleges, hospitals, and even OPG and Hydro One. It concerns me that a city the size of Ottawa, with a total budget of \$2 billion, has the scrutiny of 21 councillors and a mayor with considerable budgets at their disposal, and they're moving toward an external auditor right at this time, while health care, under scrutiny of a volunteer board with about the equivalent of \$2 billion in expenditures, same as the city of Ottawa, does not have that scrutiny. We must make sure that taxpayers' money is well spent. Value-for-money audits are needed throughout the organizations where roughly 80% of our government expenditures occur. So the new Provincial Auditor will have the ability to look at that 80% of the dollars and will have the responsibility of making sure the taxpayer is protected.

There's a concern to me as well as a councillor that we heard a lot about how well our city was run but we could never compare the cost of services delivered on a city-to-city basis, or service-to-service basis. We could never get that information. It would seem to me to be a fairly simple task to compare city to city. That should be done so we can select the best practices, to place our city managers in a position where their management can be compared with their peers across the province. City politicians and managers do not want this scrutiny, but it is absolutely essential.

I'm no longer with the city, but I see the same problems now that I've become a provincial member: concerns like the CCAC in Ottawa, where they're able to build their own case management system from scratch while there are dozens CCACs across the province. They should have generic case management systems that are adapted for local conditions. Where was the leadership in this province that allowed one CCAC to spend \$2 million reinventing the wheel? And it'll probably turn out to be less than round when it's completed.

I want to know what the service delivery costs are in each hospitals, and how well-managed hospitals can be rewarded and poorly run institutions can be assisted with the transfer of best practices across the province. This is not about fraud, as far as the main element here. We have to go out and look at value for dollars spent. I think that's what we're interested in and that has to be a big part of the new terms of reference for the Provincial Auditor.

I sat on the committee for the auditor's report for three days and I saw how a small contract for mould removal,

which started with a pre-qualification process for works under \$100,000, was negotiated. It turned into an \$8-million project, then a \$21-million project and finally a \$30-million reconstruction of the courthouse with only \$6 million of that awarded competitively.

**1640**

I would just like to read from the auditor's report: "The project, then estimated to cost approximately \$8 million, was therefore carried out without a fixed-price contract and without proper competitive acquisition process for a project of this size. In addition, the ministry did not obtain ministerial or Management Board of Cabinet approval for not following competitive selection procedures before awarding a contract of this magnitude." So there's no doubt that we need a lot more effort on behalf of the auditors in here.

On the same project, "Notwithstanding the ministry's and ORC's efforts to deal as quickly as possible with the health concerns at the former courthouse, during the period of more than two years taken to complete the project, large contracts were awarded without following competitive selection procedures, and approvals to deviate from required Management Board of Cabinet directives were not obtained from either ministry senior management or Cabinet." We see that there is a real need to have that.

I think this Liberal government has a different attitude toward responsibility in this way. I also saw how under the last government the FRO, the Family Responsibility Office, would not improve the administration of the case management system, probably because they did not believe in bothering deadbeat dads, but it was costing this province about \$10 million a year in additional social assistance—a figure accepted by the ADM, by the way—because when we these deadbeat dads did not pay up according to the court orders, these moms and these kids across this province went on social assistance. They had to.

Thank goodness Minister Pupatello has ordered FRO to move on and acquire a computer system, a case management system that will permit the following of the defaults in a timely manner. Court orders will be enforced in a timely manner and the hard-working parents and their children will be able to look after themselves. They will not have to turn to social assistance because the system failed them, a system that was set up for the parents and children.

We may now branch out and audit where big dollars are being spent. I do not feel the major target is fraud. The major target of the additional audit powers and, I hope, added budget, must be to find and promote the best practices across this province and to have teams available to come in and improve programs that are in trouble.

Our government has taken the protective shield off Hydro One and OPG. This is an obvious extension to be able to audit the billions of dollars spent on health care and education. These extended powers for the Provincial Auditor will permit this province and this House to see the best practices across this province, to see where

service delivery is the lowest cost and more timely. This will focus on attention on achievers and failures in service delivery across the province. Why should the taxpayer not know the cost of a particular surgery, the cost of drugs for patients in certain long-term-care institutions? Why can our systems not scrutinize the service delivery? Why can't we act businesslike and protect the taxpayers' hard-earned dollar? How could a Minister of Energy like the member for Nepean-Carleton permit the rip-offs that went on on their watch? How can a minister permit such dealings which cost this province billions of dollars?

The new powers and duties for the auditor will permit him to review the crown corporations, but that oversight should have been provided by the Minister of Energy, as someone has said before. When this oversight is not done, the Provincial Auditor will be able to pick up the slack and we will not have any more of these major overruns that we have seen. Bill 18 would make sure that we never have this incompetence again running so much of our province's resources.

It has been said that doubling the auditor's office would cost \$9 million. I am not sure of that figure. I never got the budget for it. It would seem to me that scrutinizing a health care budget alone of over \$20 billion would warrant a \$9-million increase just on its own. Consider that provincial policy has mandated that mental health spending was to move from 70% institutional and 30% community. That was 10 years ago. We haven't reached those objectives. Provincially, we have moved from 30% to 58%, but in Ottawa we are still stuck at the 30% in community. The dollars aren't moving out into the community in health care. Why is that? What's different about Ottawa? I think that if we have more of a budget and we have more powers for the Provincial Auditor, we will find out why these things happen, why when decision are made they are not followed through by certain parts of this province.

I would like to see a program from the Auditor General that would present realistic programs and budgets for that office in order to move from a passive review-type program to a proactive program seeking our best practices, praising achievers and directing management teams to improve institutions and programs that do not deliver the required returns. It takes resources to discover the problems and then to monitor the improvements.

I believe that there is a terrible resistance to change within our bureaucracy and the institutions that are funded, that only when programs like CCACs can be compared on an apples-to-apples basis across the province can we, as members of Parliament, provide the oversight to improve our spending, get value for taxpayers' money and bring back confidence to our institutions.

I support this legislation. It is difficult to believe that we have not gone this way long before, and I hope the budget is provided and the approach is well designed with the help of the private sector so that we, as members of Parliament, can do our job, which is spending the money of the taxpayers of this province in a manner that gives each one of us a better return on the tax dollars.

**The Acting Speaker:** I understand the member is sharing his time. I recognize the member for Sarnia-Lambton.

**Ms Di Cocco:** I thank the member from Ottawa-Orléans for his comments regarding this legislation. I'm pleased to rise to speak to this legislation because it truly is about accountability to the public, and it's about more transparent and responsible government to Ontarians. That's what the essence of this bill is.

The government under Premier Dalton McGuinty is transforming the way it does business in this province. This is one piece of legislation among others that truly is going to change the way government does business and begin to restore confidence in the public for government and how government does its job.

The role of the Provincial Auditor—and under this legislation the new name is going to be "Auditor General"—in Ontario is going to be expanded. Expanding the purview that the Auditor General will have is going to ensure that we have agencies, transfer partners—80% of our tax dollars are given to these transfer agencies such as school boards, hospitals and many other transfer agencies. What will happen here is that these agencies will now come under the purview of the Auditor General so that he or she is able to track the money, to decide or to look at whether or not we are getting value for money in these agencies.

I watched in the last session of this Legislature when, whatever government did, there was always the notion that government really shouldn't be in people's faces, that we should have small government and that government really didn't have a role. There was a notion that the corporations were all good and that the public sector was wasteful and bad. That was the sort of ideology with which this province was governed at the time.

When the Auditor General, or the then Provincial Auditor, would look at how government was doing its job, he came up with many areas that revealed a lot, revealed a great deal of mismanagement. What was happening too that may or may not be known: The way the Provincial Auditor was dealt with by the government of the day was that they would cut the resources as almost a way of punishing the Provincial Auditor for his comments.

Many times I remember sitting in the committee that the Provincial Auditor sat in and he was actually denied access to the figures and to the paperwork under various ministries at the time, which, by the way, was unprecedented; that had never happened. Not only did the Provincial Auditor not, in my view, have his role expanded; it was actually undermined many, many times. There was a lot of evidence of that in the past four or five years that I was here in opposition.

**1650**

I want to talk about this legislation and what it would do if passed. This legislation, if it passes, would provide to the Auditor General an expanded power to conduct value-for-money audits in institutions in the broader public sector. I mentioned school boards and hospitals,

but it would also have the oversight for universities, colleges and all crown-controlled corporations, including Hydro One, Ontario Power Generation and their subsidiaries.

Not only were Hydro One and Ontario Power Generation not under the purview of the Provincial Auditor, but in 1997 they were removed from freedom of information. So we had a way of doing business which was about not having transparency, and what we are going to do is restore that transparency and accountability.

What is this value-for-money audit? What is it characterized by? Well, it's about whether or not money is spent in a way that is most efficient; in other words, the best use of dollars. It's value for money. When you go and buy something, you want to make sure that your dollars are buying the best product or you're getting the best value for the dollar that you're investing.

It also looks at—and this is another of these value-for-money audits—whether appropriate procedures are in place to measure and report whether the programs are effective. The member for Ottawa-Orléans certainly gave some examples where there were no procedures, or contracts were given out without any kind of tendering process. What this is going to do is put that kind of scrutiny into our public bodies.

The highlights under the amendments to this Audit Act—and I want to put this on the record again. I'm also glad that the member from Trinity-Spadina is in favour of this bill. He has restored my confidence in his scrutiny of legislation. I have to say that when we look at the proposed amendments, the Auditor General would be able to conduct discretionary, full-scope value-for-money audits of the broader public sector, but they do exclude municipalities.

Why is that important? It's important because the people of Ontario deserve to trust how government is spending their hard-earned tax dollars. The Provincial Auditor—or now, when this act is passed, the Auditor General—will be the checks and balances that are put into place to ensure that the government and the transfer partners of the provincial government are spending their dollars wisely.

Over the years, I believe there has been a lot of mistrust of how government does business and how the corporation of government does business. Right now they're talking all the time about the biggest headline news coming out of Ottawa. It has to do with some issues that bring into question how money was spent. The public expects the government, those who are entrusted with the people's money, to invest in their priorities—in health care, in education—but they go one step further. My constituents tell me it's not enough just to say, "We put more money into a service." They also want to be able to trust that that money is being well spent and that there is some oversight, that there are checks and balances, because there are billions and billions of dollars that are expended by our transfer agencies. Some 80% of the dollars that are taken in by the provincial government go to transfer agencies. It is being able to have that

oversight, it is those checks and balances, that have been missing for too many years.

Again I say this is part of this new era of truly transforming how the government of Ontario is going to do business, its business of providing needed services in this province. The Audit Statute Law Amendment Act, 2004, Bill 18, is one of the largest steps. It is a single step, but I believe it's one of the biggest steps we are taking to ensure that there is true accountability to the public, to ensure that we have a more transparent and responsible government for Ontarians.

**The Acting Speaker:** Questions and comments?

**Mr Marchese:** To the member for Sarnia-Lambton, I was hoping I would hear from her and the previous speaker about when the money's coming and whether the money's coming.

**Ms Di Cocco:** It will.

**Mr Marchese:** I know you say it will, but I'm a bit cautious on this side. When I don't hear people speaking about the issue, I say, "Hmm, there's a problem here," right? Because you can't have transparency or accountability unless that individual can do the job, and to do the job, you need the bucks. You know that.

**Interjection:** Big bucks.

**Mr Marchese:** I don't know whether it's big bucks or small, but whatever is adequate for the person to do the job, because otherwise it can't be done. You can't expect accountability because you simply say so. Transparency will not happen because you wish it so. If you've got the extra money for the person to be able to send people to do the job, then you get the transparency and accountability you're looking for.

I am convinced that some of you understand this and believe that. I'm also convinced that some of you are lobbying within your own caucus for that to happen. If you all lobby, it will happen, but if it's only one or two or three raising your hand, saying, "We really should do this, otherwise it's a problem; we'll be attacked if we don't do it because the person won't be able to do the job," if it's just a couple of people, it just won't work. The speakers need to convince me that you are on board with pressing the minister and cabinet to release a couple of bucks, whatever that is.

I know you're nodding in agreement, meaning that it might happen, it could happen, you agree, but you have to say it. OK. Then we'll hope that the money will be coming, because, as I hear you in agreement, I'm sure you will be lobbying for it.

**Mr Mario Sergio (York West):** I wish to comment on the previous speakers, the member from Ottawa-Orléans and the member from Sarnia-Lambton, for bringing to the attention of the House the most important and salient point of this bill.

Let me say quickly that back in December when the minister introduced this particular bill, it was introduced with the full intention of changing some of the ways we do business in this House and throughout Ontario from past usage, if you will. The bill doesn't just change the name for the sake of changing the name from Provincial

Auditor to Auditor General. One of most important aspects—and this is why we believe it has to be done—was a commitment our Premier made during the last campaign. It's so important, and we believe this will indeed indicate the seriousness with which our government intends to present to the people of Ontario how we are doing business, not only ourselves in this House but those people in the various agencies that receive taxpayers' money.

In the past, we have seen that the actions and duties and responsibilities of the Provincial Auditor were hindered by members of the government and the government itself. One important aspect of the proposed new act, under section 11.2, is that the Auditor General will exercise his powers and perform his duties without obstruction from anyone, from any member of the government, from the government or from any member of the staff. This is right in the bill, and I believe it's one of the important points of this bill.

1700

**Mr Dunlop:** I was out in the back room and I heard the speeches from the two Liberal caucus members on Bill 18. It's a pleasure to respond to them. I'm back to calling this the Sheila Fraser act. Obviously, as far as Liberals are concerned, Sheila Fraser is probably not someone they care an awful lot about. It's very interesting that with all the turmoil going on in Ottawa these days, as we look toward a federal election, the name of Sheila Fraser continually comes forward. Of course, right now, we're going to create the position of Auditor General here in the province of Ontario.

I have another concern that I don't think has been raised during the debate yet, and maybe in your final you can respond to this a little bit. Have you done any kind of analysis yet on what the costing would be to implement what would be the higher roles of the Auditor General? Obviously, he's going to need a lot more staff—he or she, because there will be new Auditor General appointed. But it will be interesting to note the kind of cost it will actually be.

Why I'm concerned about that is that almost all the transfer agencies we refer to, people who receive a lot of money—school boards, hospitals etc—have auditors working for them. They give you an audited statement at the end of each year. I know that the program is for how you spend your money, whether it's being spent properly or not. Most of the organizations I talk to, particularly school boards, insist they're spending their money to the best of their ability. After all I heard about schools and how efficient they were over the last four years, I don't know why you'd even want to tackle a school board, because obviously, the way you were talking to our government, they were spending their money very, very wisely.

I guess my time's up. I appreciate the comments.

**Mrs Liz Sandals (Guelph-Wellington):** I'm pleased to respond to the speeches by my colleagues from Ottawa-Orléans and Sarnia-Lambton. I am very pleased to support this bill that will expand the powers of the

Provincial Auditor. When people think about provincial spending, they tend to think of it in terms of money the provincial government spends directly. In fact, the provincial government spends relatively little of the money directly that it collects from the taxpayers of Ontario. After you discount the money we pay on debts run up by various governments, mortgages and that sort of thing, when you look at the actual operating funds we spend to run this province, 80% of it goes to other agencies.

Some of those are quite large organizations, like school boards or hospitals. Some of them are organizations that seem to be completely out of control, like Hydro One and Ontario Power Generation. Some of them are very small, little local agencies that may provide a few mental health services or a few social services—very small services. So we're looking at agencies that the government transfers billions of dollars to, that range from organizations with a half-billion-dollar budget on their own to maybe just \$50,000.

But the problem with all these agencies is that we have no ability as taxpayers, as the provincial government, to look at whether we are getting value for money. This isn't about, do the books balance? It's about, are the taxpayers of Ontario getting value for money? What we are doing is making sure that the Provincial Auditor will be able to look at each of these institutions and make sure our money is well spent.

**The Acting Speaker:** One of the government members has two minutes to reply.

**Ms Di Cocco:** I'm pleased to respond to the members from Guelph-Wellington and Simcoe North. One of the issues that probably has not received a great deal of attention is the fact that we've actually had to put in this bill, under section 11.2, which re-enacts the current prohibition, that it's an act against obstructing the Auditor General and members of his or her office in exercising powers and performing duties under the act when conducting an examination. In other words, this new section also prohibits obstruction with respect to a special audit. We've had to put this in because the Provincial Auditor spoke of the number of times that he was obstructed from doing his job.

In response to the member for Trinity-Spadina, the resources will be enhanced because of course the Auditor General will need more resources. But that money is money well spent because it is going to be able to, on behalf of the people of Ontario, make sure that the money is being used well, wisely and that it is effective, and not that we have a number of the boondoggles, things like the fact that previously—and this comes from the auditor's report. The Tory government at the time had failed to address a serious backlog in the court system, so that the services that were being provided were not better. In other words, we were not getting value for money.

This is a progressive piece of legislation and it's another step toward this new era of transforming the corporation of government doing business.

**The Acting Speaker:** Further debate?

**Mr Norm Miller (Parry Sound-Muskoka):** It's my pleasure to join in the debate this afternoon on Bill 18. Bill 18 is an act that enlarges the powers of the Provincial Auditor. The Provincial Auditor under this bill would be renamed Auditor General. I would like to point out there could be some confusion with the Auditor General of Canada in that renaming. So hopefully there would be an Ontario reference added into that.

The bill brings more of the public sector under the control of the Provincial Auditor. It should provide legislators and the people of Ontario with a complete view of the efficiency and effectiveness of government expenditures that occur through grants to major institutions in the broader public sector.

As I mentioned, the title of the Provincial Auditor would be changed to Auditor General. However, the reality is that the person occupying this position will be referred to as the provincial Auditor General, so hopefully that will eliminate any confusion with the federal Auditor General.

The new definitions for grant recipients and reviewable grants are wide enough to include school boards, universities, colleges and hospitals. The province at present has the authority to order special audits of these institutions. Now the Auditor General will be able to carry out such audits without a formal request. So that's an important change.

The term of office for the Auditor General is to be 10 years and it's to be non-renewable. I guess one question we'd have to ask is, does this apply to the present auditor?

There are some concerns we have. We're supporting this bill but we do have some concerns. The new section 9.1 limits the power of the Auditor General to begin work until after April 1, 2005. So certainly a question I have is, why start in 2005? Why not start as soon as the bill receives royal assent? Why wait until April 1, 2005?

The new section 10 gives the Auditor General broad access to information and specifies that disclosure to the Auditor General does not constitute a waiver of solicitor-client privilege, litigation privilege or settlement privilege. This clause will have to be explored in detail to see its effect on the use of the information given to the Auditor General.

The new section 11.2 deals with access of the Auditor General to information and punishment if access is impeded or documents destroyed. Is the punishment outlined sufficiently severe?

New section 12 outlines the content of reports of the Auditor General. I think we should be questioning whether these statements are sufficiently broad, and do they allow for special reports?

New section 27 deals with secrecy on behalf of the Auditor General's employees who receive information.

Section 27.1 deals with the issue of privileged information. How do these clauses affect the use of information given to the Auditor General?

New section 27.2 deals with the protection of personal information which may be given to the Auditor General. Are these protections sufficient?

1710

While this bill may be sufficient as far as it goes, it should be amended to give the Auditor General the power to begin to operate under it immediately. Let's not wait until June 1, 2005.

What is the balance to be achieved between the protection of privacy and the use of information by the Auditor General? This is an important question that needs to be addressed.

What resources will be dedicated to the Auditor General to ensure the ability to carry out the work under this bill? Without dollars to follow it, it isn't worth much.

We are in support of this bill. The bill expands the power of the Provincial Auditor. This bill is about transparency and accountability, terms that are often referred to by the government. But in reality I think voters, or taxpayers, out there have to be able to trust their government. I think we have to look at what has happened in the last seven months. The Liberal government speaks endlessly about addressing voter cynicism, and it is in this mood that this particular bill has been introduced.

Let's look at reality. I think nothing breeds cynicism like breaking promises. There was an election on October 2. The government was elected on many promises—some 231 promises, I think—and very significant promises. We're seeing many of those promises broken—some very significant promises.

One of the most significant, and one that I think made a big difference in the election in terms of winning votes for the government, was the taxpayer protection promise. Dalton McGuinty, then campaigning, with a lot of fanfare signed the taxpayer protection promise. I've actually seen a copy of it: "I, Dalton McGuinty, leader of the Liberal Party of Ontario, promise that if my party is elected as the next government, I will not raise taxes or implement any new taxes without the explicit consent of Ontario voters and will not run deficits. I promise to abide by the Taxpayer Protection and Balanced Budget Act."

**Interjection:** He signed that?

**Mr Miller:** The Premier signed that, and there was a lot of press on that—very public, I think. I must admit I watched that in the election and thought, "Jeez, I'd consider voting for Dalton, now that he's agreed to be financially responsible." I believed it. I'm sure there were a lot of voters out there who were taken in by that.

But since the election, we've seen the government break several significant promises. They made big promises about Highway 407. They were going to roll back the fees on Highway 407. I don't believe we've seen much action on that front.

We've seen promises to do with auto insurance. I would say the public perception out there, in terms of the promises to do with auto insurance, was that the government was going to freeze auto insurance immediately upon being elected on October 2, and then we were going to see first a 10% reduction and finally a 20% reduction. I think that if you ask the average person on the street, that's what they feel was communicated to them. They

were going to see, effectively, a 20% reduction in their auto insurance. You can duck around the fine print if you want, but I think the average person on the street believed they were going to see a reduction.

Well, they're not seeing a reduction in their auto insurance. In fact, the government delayed a number of recommendations and regulation changes that were going into effect early in the fall, which were agreed to and put in place in the summer, that would have brought about a 20% reduction in auto insurance. They delayed that, and now we're seeing big increases.

I receive letters daily at my constituency office about huge increases. In one case, a 22-year-old up in Sundridge depends on a car for his employment. He was already paying roughly \$3,200 in auto insurance. He has to drive to the garage he works at, and gets paid \$10 an hour. He's facing a real problem: How can he even continue to work now that his insurance is going up to over \$7,000 with his June 6 renewal? What happened to that 20% reduction? These are the sorts of broken promises that breed cynicism amongst voters.

There are many other broken promises, a big one being the 4.3-cent price for hydro. We just saw that that promise has been broken, and hydro rates have effectively gone up some 27%, when you go from 4.3 cents to 5.5 cents. Whether that's right or wrong, the government made a promise in the campaign to hold the line on hydro prices. That's what people believed was going to happen. I think it is important that the government keep its promises.

We just had a by-election in Hamilton.

**Mr Yakabuski:** Buy: B-U-Y.

**Mr Miller:** The government went in there and was spending a lot of money on tax breaks for the area of Hamilton. A lot happened around Hamilton in that by-election—or as you say, the buy-election. I congratulate the winner, the NDP candidate, Andrea Horwath, who won that election with quite a substantial margin; I think something like 63% of the vote. I think she won because people are sending a message to the government that it's important that you keep your promises.

The government is blaming all its broken promises on the \$5.6-billion deficit. They keep repeating and repeating it in the hope that if you repeat it enough, somehow it will become the truth. Well, they took over in—

**Mr Levac:** On a point of order, Mr Speaker: I know the member is going to get back to the bill sometime. I just remind him that I'm looking forward to it.

**The Acting Speaker:** I know all members of the House are aware that they are to keep their remarks pertinent to the topic at hand. I look forward to hearing the further remarks of the member for Parry Sound-Muskoka.

**Mr Miller:** Thank you very much, Mr Speaker. I think my points are very much related to the auditor and Bill 18, the auditor's act. I think what I'm talking about, in terms of the government keeping its word—

**Mr Yakabuski:** They're certainly going to give that auditor lots of work.

**Mr Miller:** Absolutely. I think this government is going to probably double the workload of the auditor as he goes around and tries to keep track of all the increased money they're spending and that it's being spent fairly for the taxpayers of Ontario.

The government has been laying blame for their broken promises on the fact that they say there's a \$5.6-billion deficit. They brought in the retired Provincial Auditor of Ontario, Erik Peters, shortly after the election to look at the financial situation of the province. They hired him as a consultant. One of the things they said they weren't going to do was hire consultants, but they hired him as a consultant to look at the books, and he came up with the \$5.6-billion figure. You could question how they came to that figure, but I won't do that at this time.

Shortly after that, in November, there was a more accurate prediction of the real numbers for the financial year ending March 31, 2004, and miraculously there was a \$3-billion increase in revenue that didn't show up in the previous audit done by the past Provincial Auditor. Yet, in November, when the financial review was done here, the deficit was still \$5.6 billion, even though there was an increase in revenue of \$3 billion. The government seems bound and determined—tomorrow is budget day, and it will be very interesting to see what happens, what that deficit actually ends up being.

I'd like to point out that the year-end is March 31. So in October, there were still six months. We were halfway through the year. There were still six months to go in the financial year. The first six months of 2003 had been very challenging, with SARS affecting tourism dramatically, with mad cow, with the blackout, with many challenges facing the Ontario government which affect the monies coming in to the Ontario government.

The government was elected on October 2. They still had half the year to go about trying to manage the outflow of money from the provincial government, control spending and make an attempt, at least, to balance the budget before the end of the year. They didn't do that at all. Instead, they went about repeating and repeating "\$5.6 billion" to shift the blame to the past government, instead trying to deal with controlling spending. This past year, we had record revenues in Ontario of over \$70 billion. The problem is, we had an increase of over 10% in spending in Ontario. Hopefully the government, in its budget tomorrow, will start to try to control spending and manage the finances of the province correctly.

## 1720

Another point I'd like to talk about is another big point the government was making in the election, talking about democratic renewal. We just went through a by-election. Let's look at the process of that by-election. First of all, they called the by-election very quickly. The campaign was on before I even knew it was going on. I think the idea was to do it so fast that people wouldn't realize a by-election was going on.

They picked the candidate. They didn't allow the normal process to occur. They didn't allow anybody who

wanted to be a candidate for the Liberal Party to run in a nomination meeting, to fight it out fairly and try to get people to support you, to win the nomination. Instead of doing that, they picked a candidate to run and then called a by-election very quickly. The by-election date was four days before the budget, because I suspect the budget may have some bad news and a few further broken promises. So I think they tried to slide that by-election in very quickly so that people wouldn't have time to really think about things. But the people of Hamilton would not be fooled and I think they sent a message that the government should be keeping its promises, that when you say something in an election, you should be delivering on that.

Let's look at the other aspects of acting out of democratic renewal that we've seen under this government. We had the selection of a new Speaker in this place. I know that Mike Brown, the Liberal member for Algoma-Manitoulin, had been the Deputy Speaker in the last session of this Legislature—I would like to say he did an admirable job—and he was looking to get the job of Speaker. I know that because he sent me letter in the mail looking for my support, and I was planning on supporting him. So imagine my surprise when for some reason, just before the election of the Speaker was to take place, suddenly Mike Brown was not running for the office of Speaker. I think what happened was that the Premier decided who was going to be Speaker and didn't allow the normal democratic process to occur. So the member for Algoma-Manitoulin didn't get the opportunity to run in an election in this place to become the Speaker of the Legislature. That's been the real face of democratic renewal here in the last few months.

Let's look at the actions of the general government committee. The NDP member, Ms Churley, made a motion in the general government committee, and I'll read the motion: "The notice of motion to the general government committee is, 'that the standing committee on general government convene to examine the propriety of actions taken, or not taken, by Finance Minister Greg Sorbara, political staff in Mr Sorbara's office, senior ministry staff and various officials at the Ontario Securities Commission on matters related to the OSC investigation of Royal Group Technologies.'" I think Mr Sorbara was even willing to go and testify before the committee, but what happened? The committee took marching orders from someone in the Premier's office, I would suspect, and all Liberal members voted against this motion that would have shed some light on the Royal Group Technologies affair. That is the sort of light we are seeing in these Liberal days. This is the kind of democratic renewal that we're seeing in recent days.

The member sitting beside me has also raised some other issues that are of concern that we're hearing about in the ridings. One of them, of course, is regulation 170/03, the water regulations that are currently being put into place by the government. That is a regulation on which they've just announced a moratorium for six months, and that's good news. This is a regulation that's

really going to affect rural and northern Ontario. It's a regulation that could adversely affect schools, small churches, community centres, resorts, lodges, with some of these new and tougher rules. I'm glad to see the government has put a moratorium on it, but really we probably need longer than six months to deal with some of the concerns of that regulation.

I think another reason that Bill 18 needs to be brought into effect is when we look at what's happening federally. We're just going through the whole sponsorship scandal federally. Hopefully, Bill 18 will make sure that sort of thing doesn't happen here in Ontario. But with all the increased spending the government's been bringing into effect lately, I think it is important that, as he is to be called, the new Auditor General have increased powers to keep an eye on all the increased spending that the current government is doing. I hope the government tomorrow, when it brings down its budget, starts to become responsible, starts looking at balancing its budget and will now start to keep its promises to the people of Ontario as well.

**The Acting Speaker:** Questions and comments?

**Mr Marchese:** I have to say I agree with some of the observations the member from Parry Sound-Muskoka has made, particularly as they relate to the Hamilton East by-election. One of the observations he makes is the point he speaks to in terms of the democratic deficit. You will recall that McGuinty wants to correct the former Conservative government deficit by bringing back his own.

**Mr Sergio:** Yes.

**Mr Marchese:** Mario Sergio agrees with that. The observation the member from Parry Sound makes, however, member from York West, is that McGuinty has made a profound mistake in dealing with Hamilton East in an undemocratic sort of way. You see, the Premier has this power to appoint people, a power which he has, by fiat, deciding who runs. That, in my mind, is a serious problem as it relates to democracy. As McGuinty wants to correct the democratic deficit the former government left, he has his own problems to deal with, and the observation the member from Parry Sound makes is a good one. When you appoint by fiat, you create a problem, and he did. McGuinty should have allowed for the democratic process to rule in Hamilton East, where the people of the riding decide who they want. They nominate their candidate and off you go. But the problem the Liberals have both provincially and federally is that they give to themselves this divine power to choose candidates. That's a problem. It certainly is not in keeping with dealing with the democratic deficit. They're got to deal with that.

The question I have for the member for Parry Sound-Muskoka as it relates to Bill 18 is, where is the money? He's got to speak to the issue of where the money is.

**Mr Kuldip Kular (Bramalea-Gore-Malton-Springdale):** It's my pleasure to respond to the debate on Bill 18 initiated by the member from Parry Sound-Muskoka. Let me tell the House at the start that this bill does not deal with democratic renewal. What this bill deals with is accountability and transparency. Last year, on October 2,

the people of Ontario gave us a mandate to be accountable, to be prudent with public money. What our government did was ask the Provincial Auditor, Mr Erik Peters, to have a look at the books of the province and he told us that there is a deficit of \$5.6 billion in the books. What Bill 18 deals with is changing the name from Provincial Auditor to Auditor General.

*Interjection.*

**Mr Kular:** That's right. I want to thank the honourable member from Parry Sound-Muskoka for supporting this bill because, if passed, it will authorize the Auditor General to conduct special audits of grants, recipients and crown-controlled corporations and their subsidiaries.

1730

This bill deals with accountability and gives us a mandate to be prudent. I support this bill. I also want to thank the member for Trinity-Spadina for supporting it, because this bill will expand the powers of the Auditor General. It's going to be a good accountability bill.

**Mr Yakabuski:** Thank you to my colleague from Parry Sound-Muskoka for his input on Bill 18, An Act respecting the Provincial Auditor. He touched on many things. He had a very broad presentation. But he also specifically touched on the need to have control over spending. That essentially is why we have a Provincial Auditor, so that the money the government is collecting is being distributed in a fair, equitable and honest fashion. In that respect I think the bill is going to have some very strong and good points.

But where the bill won't speak is that it's not going to tell the government how to set a budget and it is not going to tell the government how to spend its money. It's going to, after the fact, decide whether it did a good job of it. That is essentially the problem we're going to face tomorrow, when budget day rolls around, because Liberals don't know how to spend money wisely. They really like to get out there and pick your pocket and then go on a shopping spree.

In 1985 to 1990, revenues in Ontario grew at unprecedented rates, the fastest in history. A great economy was flowing and growing and revenue grew. What happened during that time? Expenditures grew faster. At the end of the Liberals' term we were in worse shape than when we came in because they love to spend money. It makes them feel good. They like to go on shopping sprees and buy this and start this and start that, but at the end of the day you are responsible to those people from whom you're taking the money. That's why I'm afraid that this government tomorrow is again going to forget what its real responsibility is and go on another spending spree and take the money out of my pocket and yours.

**Mr McNeely:** The members for Parry Sound-Muskoka and Renfrew-Nipissing-Pembroke have forgotten something when they start saying that the problem here is the new government. In the good times—this was mentioned by the member from Trinity-Spadina, I believe—by giving back to corporations, by reducing taxes, they let the revenues of this province be reduced. That is why there is a structural deficit of \$4.6 billion in this province.

The Office of the Auditor General would in effect function as a proxy of the taxpayers of Ontario, the 12 million citizens who entrust us with their hard-earned tax dollars, so that we can pay for the services they need and deserve. I would expect that the heightened powers of oversight and review this bill would give the Provincial Auditor may go some way to addressing the serious and justified concerns taxpayers have about how their money is being used and if it is doing what it is meant to do.

It is painful to me and to all of us who come to the Legislature to ultimately serve the public good that the trust of the voters has been eroded by the shameful and flagrant misuse of funds by some politicians, their cronies and other officials. Beyond the inarguably criminal waste of public funds, these individuals are destroying the faith of the public in government.

That is why our government is taking important steps toward democratic renewal, of which this bill is a part. We understand that the public is demanding accountability. They have the right to be at the table. By the creation of the expanded role of the Provincial Auditor, we are ensuring that their concerns are answered.

I support this bill. I'm sure it will give us greater accountability in this province. Thank you.

**The Acting Speaker:** The member for Parry Sound-Muskoka has two minutes to reply.

**Mr Miller:** It's my pleasure to respond and thank those members who made comments: the member from Trinity-Spadina, who talked about the democratic deficit—indeed, I think I heard him say a few times, "Where is the money?"—the member from Bramalea-Gore-Malton-Springdale, the member for Renfrew-Nipissing-Pembroke and the member for Ottawa-Orléans. The member from Renfrew-Nipissing-Pembroke was talking about the fact that what this government really needs to do is control spending. We need an auditor to make sure that the spending is done in a fair, equitable and honest manner.

Before this government was elected, I didn't really believe the rumours when my colleagues would talk to me about tax-and-spend Liberals. I didn't really believe that, but only since this government was elected did I realize that Liberals really do like to spend money. That's why we've seen an increase of \$3 billion just in the last six months. The question is, what's going to happen tomorrow? Are we going to see even more spending without trying to live within our means?

The member from Ottawa-Orléans was talking about the question of revenue. In the last days of the past Conservative government we saw an increased revenue of some \$16 billion while at the same time there was \$16 billion in tax cuts, because the fact of the matter is that we need business to be successful, we need business to prosper and do well, and we have to take into account regulations and the various effects on especially our small businesses that are trying to survive. So we have to look at water regulations, the cost of hydro and all the tax rates and everything that goes into affecting a small business. We need those small and large businesses to be successful because it's those businesses that our govern-

ments live off; it's those businesses they tax. That's where all the revenue comes from.

I'm very pleased to join in the debate today on Bill 18, and we do support that bill.

**The Acting Speaker:** Further debate?

**Mr Zimmer:** I'm going to share my time with the member for Perth-Middlesex.

I've given a lot of thought to why I want to speak in favour of Bill 18. What we're trying to do with Bill 18 is open up government and its related organizations so we can bring the voices of Ontarians to Queen's Park and make this entire, massive public sector more transparent and responsible to the people of Ontario. We want to do that because transparency and accountability are the very best safeguards for public services.

We are attempting to expand the authority of the Provincial Auditor by allowing him to conduct value-for-money audits of organizations in the broader public sector. This legislation, if passed, will give the Provincial Auditor the power to scrutinize public organizations, hospitals, school boards, colleges, universities and other public infrastructure organizations. We're doing that so that the people of Ontario can be assured that their hard-earned, hard-paid tax dollars are being spent wisely.

As the public watchdog—and the key here is "public watchdog"—the public auditor should have the right to investigate spending not just by the Ontario government but also by its crown-controlled corporations and indeed its transfer partners. Why should we have a watchdog? Why do we need a watchdog over how the public monies are spent?

I've been privileged to serve on the standing committee on public accounts. I'm new to government, but I can tell you that exercise was an eye-opener. In answer to the question of why the auditor should have a watchdog function, you should keep in mind that the public auditor can't investigate the public sector as things stand right now. This was the most significant demand on the province's financial resources. Fully 80% of total government expenditures—that's excluding the interest on debt—are in the form of transfers to the broader public sector organizations and individuals, and those are not subject to the auditor's report. Bill 18 will make them so.

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The best reason to expand the scope of the auditor is contained in his very report. I carefully read over the 2003 report from cover to cover, and it revealed the following. These are some of the incidents in the 2003 report that cry out for investigation. I give them in no particular order:

—The Tory government, it was clear from the report, failed to address a backlog in the court system. The 2003 auditor's report pointed out that the Ontario Court of Justice had the highest backlog of criminal cases in 10 years.

—Some \$60 million in fines were allowed to go unpaid.

—The auditor found 150 types of security risks at Ontario courthouses, including unauthorized weapons, assault, vandalism and theft.

—The auditor revealed that deadbeat parents are \$1.3 billion behind in court-ordered child support payments.

—The Family Responsibility Office caseloads per worker are too high, about 600 to 1,700, versus 400 for Quebec and 300 per worker for Alberta.

—Ninety per cent of calls to the call centre get busy signals and require repeated phone calls.

—Some cases get no follow-up for a year, and it takes an average of three and a half years to complete a case.

The list goes on:

—Ninety-five per cent of inspection resources last year were spent on video retailers, which had a total of only eight complaints. There were only nine inspections of debt collectors, despite 4,100 consumer complaints.

This is the kind of malfeasance the auditor will be able to undercover if we proceed with Bill 18.

—The economic development ministry spent \$4.3 billion without a strategic plan.

—The Strategic Skills Initiative spent 75% of its money on construction equipment instead of skills training.

—The ministry wasted money on untendered contracts and expensive trips.

Again, the Auditor General, if Bill 18 goes through, will be able to dig into this and expose it to public scrutiny. This is a part of what democratic renewal is about.

—The Auditor General found out that the previous government doled out over \$1 billion from the Ontario Innovation Trust without ministry or legislative oversight, a plan or even cabinet approval.

—Twenty-seven percent of waterworks did not submit the minimum number of samples to test for E coli and fecal coliform; 300 non-municipal waterworks were never submitted to any tests at all.

These are the kind of transfer partners that Bill 18 contemplates the auditor's looking into.

—Water inspectors visited 54 of 357 private treatment plants, and 44 of almost 1,200 smaller plants and designated facilities.

—There are eight boards of health without a full-time medical officer of health.

—Public health departments funded 100% by the province received the same amount of funding as they did in 1991.

—The auditor found out in 2003 that none of the province's public health units conduct the necessary inspections of food preparers to avoid food-borne diseases.

—Fourteen per cent of children have not received all of their vaccinations by the age of seven.

That's just an example of what a careful reading of the 2003 auditor's report reveals. Bill 18 will allow the Provincial Auditor to conduct value-for-money audits of institutions and programs in the broader public sector, such as the ones that I have just listed where there are financial abuses, financial malfeasance and misfeasance, including, of course, the notable, famous Ontario Hydro and all its related organizations. The Provincial Auditor

would then be able to do more than just examine the books of broader public organizations. The Provincial Auditor, under this bill, would be able to conduct full-scope value-for-money audits that assess whether organizations spend money with due regard to economy and efficiency, and if they have the procedures in place to measure and report on the effectiveness of the programs they are supposed to deliver.

Let me just briefly refer to what I think are four important sections of Bill 18, because nobody has referred to these sections. I've talked about the philosophy, what we want to do, why we want Bill 18, why we want an empowered Auditor General. I've given a list of abuses that were garnered from a reading of the last report, for 2003. Let me just turn my mind to Bill 18 for a minute or two.

Section 10 is entitled "Duty to furnish information," and this is critical: "Every ministry of the public service, every agency of the Crown, every Crown controlled corporation and every grant recipient shall give the Auditor General the information regarding its powers, duties, activities, organization, financial transactions and methods of business that the Auditor General believes to be necessary to perform his or her duties under this Act." That is a powerful tool.

Subsection 10(2), "Access to records," another hand-in-hand powerful tool along with the duty to furnish information: "The Auditor General is entitled to have free access to all books, accounts, financial records, electronic data processing records ... files and all other papers, things or property belonging to or used by a ministry, agency of the Crown, Crown controlled corporation or grant recipient"—that's the transfer payments—"as the case may be," and any other information "that the Auditor General believes to be necessary to perform" his duties. Another very important tool.

Section 11 is the third tool that the Auditor General has to root out this malfeasance: "The Auditor General may examine any person on oath on any matter pertinent to an audit or examination." That is a powerful tool.

The last, and the overarching authority given to the auditor under Bill 18, is the authority to give an opinion on statements: "In the annual report in respect of each fiscal year, the Auditor General shall express his or her opinion as to whether the consolidated financial statements of Ontario, as reported in the Public Accounts, present fairly information in accordance with appropriate generally accepted accounting principles and the Auditor General shall set out"—and this is important—"any reservations he or she may have."

These are powerful tools to enable the Auditor General under Bill 18 to root out financial mismanagement and to hold all of us here in this Legislature from all parties, and hold the government, accountable to the taxpayers of Ontario. That's why I am proud to support Bill 18.

**Mr John Wilkinson (Perth-Middlesex):** I too am proud of Bill 18. I want to follow up on the comments made by my colleague the member for Willowdale, who

actually read out a litany of problems that we found in the Provincial Auditor's report about what was happening in the previous government. I've done a little research. I looked at the second reading debate of this bill. All parties agree to this bill. Who can be against accountability and transparency? Who can be against that? So everyone is supporting the bill. I can tell you that each and every member of our government caucus has stood in his or her place and spoke to the bill and about its need, that this was an election promise we made.

I generally would like to comment that the NDP are also in favour of the bill and spoke to the bill, raising some serious concerns in their own minds—perhaps not in ours, but definitely in their minds—and we've attempted to address those concerns. One of their members, Mr Kormos, did tend to veer during his comments on Bill 18, as I reviewed them.

But I want to address my comments to the members of the official opposition who spoke to this bill in second reading and even here today. I can understand, after the member for Willowdale explained the sorry state of how things are audited and what is revealed, that we had comments made by the member for Simcoe North. Now, we're talking about Bill 18 and creating an Auditor General. What did he discuss in his comments, because he was given 10, 20 minutes? Well, he thought it was very important to talk about federal issues. Then of course he spoke to our bill to ban government-paid partisan advertising. I thought that was a good idea.

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*Interjection.*

**Mr Wilkinson:** Yes, he thought that was a good idea.

Then we had Mr Ouellette, the member from Oshawa. He actually spoke to the bill, and we appreciate that.

That, I think you'll find, is rare, because then we went on to the member from Durham, Mr O'Toole. He also decided to speak about federal issues. But Mr O'Toole can wax eloquent with the best of them here. Perhaps he's not always consistent, perhaps there was no clarity or purpose, but he did meander on a number of things. He wanted to talk about new nurses, which we're in favour of. He wanted to talk about a hard cap of 20 students in classrooms from JK to grade 3.

*Interjection.*

**Mr Wilkinson:** I'll get to Norm.

He wanted to talk about our university tuition freeze. He wanted to talk about tolls on the 407. He talked about numeracy and literacy in schools. But that wasn't enough. No, he had to get into that amazing issue of trailer park taxation and the Municipal Property Assessment Corp. I know something about that now, because I was just recently appointed vice-chair of that group.

But there wasn't enough to talk about on Bill 18. He didn't want to talk about their record. He then wanted to talk about Erik Peters, the former Provincial Auditor, who prepared a report for the Minister of Finance that revealed to us and the good people of Ontario the \$5.6-

billion deficit. Not wanting to speak about Bill 18, he then spoke about autism services.

Well, perhaps Mr O'Toole was going to be an exception in his caucus, and the other members would speak to Bill 18. But then his seatmate, Mr Tascona, the member from Barrie-Simcoe-Brampton, decided it was best not to talk about Bill 18 but to talk about the Ontario Municipal Board, the Assessment Review Board and, of course, the issue of birth certificates.

Then, really—and this is a stretch about Bill 18—he wanted to tell us about a multiple sclerosis walk in his riding. Now, MS is a terrible disease, and I applaud that the good people in his riding are raising money for that, but I fail to see the connection to Bill 18.

Now, one of the new lights in the opposition caucus, Ms Scott, the member for Haliburton-Victoria-Brock, spoke to the bill. I thought that was commendable. Perhaps she's new, and maybe she hadn't got the message from everybody else: "We don't want to talk about Bill 18; we're just in support of it. Let's talk about something else, because then we have to talk about our record."

Well, Mr Dunlop got back up. He wanted to talk about the Ontario Trillium program for organ donation. I don't see the connection. Then he wanted to talk about school board and hospital funding and, of course, the Hamilton by-election. I don't know if we're going to audit that or not. I think the results were convincing.

Then he decided also to get into that federal issue. We can always count on the official opposition to get into federal issues when they have nothing else to talk about. He talked about the relationship, or lack thereof, between the former Prime Minister, Mr Chrétien, and the current Prime Minister, Mr Martin—and, I might add, the future Prime Minister, Mr Martin.

Then he wanted to talk about the aging Sea Kings, banning partisan ads and Telehealth. He wanted to talk about flu shots, SARS and tourism marketing in New York, Quebec, Manitoba and Wisconsin. Well, I want to let you know that it's very important in my riding that we also do tourism advertising in Michigan. A lot of people who go to the Stratford Festival come from Michigan.

Well, he wasn't finished whatsoever. We're talking about Bill 18. Then he wanted to talk about the spring bear hunt. What does that have to do with Bill 18? I'm at a loss.

Then there was BSE, mad cow—

*Interjection.*

**Mr Wilkinson:** Oh, that's Simcoe North, Mr Dunlop. Then he wanted to talk about the Ontario Trillium Foundation.

That was April 29. If that wasn't enough about Bill 18, we came back again for second reading on May 10, just a few weeks ago. Mr Dunlop, the government whip, the member for Simcoe North—that wasn't enough for him. He had talked about a lot of other things. He wanted to talk about budget day on May 18. He wanted to go back to speaking about banning partisan government ads.

Then another new member of this House, the member for Renfrew-Nipissing-Pembroke, Mr Yakabuski—well,

maybe the caucus had talked to him and said, “You know, John, Ms Scott spoke to the bill, but we’re not speaking to the bill. We’re in favour of it, so let’s talk about other things.” Mr Yakabuski, who is quite eloquent, wanted to talk about the Taxpayer Protection Act.

Then Mr Hudak, the member for Erie-Lincoln, following Mr Dunlop’s lead, had a great speech about—

**Mr Miller:** On a point of order, Mr Speaker: I think it’s customary to refer to members by riding names in this place.

**The Acting Speaker:** I would ask the member for Perth-Middlesex to remember that and refer to all members of the House by their riding names only.

**Mr Wilkinson:** Thank you, Mr Speaker. I appreciate the member from Parry Sound-Muskoka reminding me of that rule; it’s very important.

Then the member for Erie-Lincoln got up and wanted to talk about the former Conservative member for Niagara Falls and about classroom funding. He wanted to talk about his high school days and about hospitals in the Niagara region. He also wanted to talk about Bill 8. That was a big thing for him that day.

*Interjection.*

**Mr Wilkinson:** There’s Bill 8 and Bill 18, so maybe he was missing the “1.” I think he got a little confused about that. Then he got into the university tuition freeze.

Then the member for Nepean-Carleton, always someone to raise federal issues in this House, jumped up and spoke about that and about autistic children.

Then the member for Renfrew-Nipissing-Pembroke got back up and spoke about Hamilton East—I think I’m almost done—and also wanted to talk about federal issues, and then he wanted to talk about Bill 8.

What do we have today? Every member of the government caucus got up and spoke to Bill 18 because it’s important. I want to tell the people of Ontario that Bill 18 is important. It’s about how your taxpayers’ money is spent. We want to make sure the auditor doesn’t just deal with the whether the money was spent and whether all the credits and debits add up. We want to talk about whether you’re getting value for your money.

Again today, the member from Parry Sound-Muskoka spoke about regulation 170, the Taxpayer Protection Act and federal issues.

I know that on this side of the House and in our government Bill 18 is something we promised to people. We said to the good people of Ontario that this was important. It was about our effort to reform this place and about democracy. Although the former government may want to talk about everything but accountability and strengthening the position of the auditor, that didn’t happen.

I’ll be interested to see the day when this bill reaches third reading and we watch the members stand in their places and support this bill.

**The Acting Speaker:** It being very close to 6 o’clock, I’m going to adjourn the House until tomorrow at 1:30 in the afternoon.

*The House adjourned at 1758.*

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